

ATTACHMENT 1
Responses to Comments

Responses to Comments
for the
Draft
Initial Study
and
Mitigated Negative Declaration
for
Central Valley Gas Storage Project
(Application No. A 09-08-008)



July 2010

Prepared for:

California Public Utilities Commission
Energy Division
505 Van Ness Avenue
San Francisco, California 94102

Prepared by:

DUDEK
605 Third Street
Encinitas, California 92024

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TABLE

Table 1-1: Index to Comment Letters and Responses to Comments..... 1

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1. Introduction

This attachment provides responses to comments received during the Draft Initial Study and Mitigated Negative Declaration (IS/MND) for the Central Valley Gas Storage Project public review period, which began on April 22, 2010, and ended on May 22, 2010. The review period was subsequently extended for two weeks ending on June 7, 2010, providing 45 days for public review. Detailed responses are provided to individual comments in Section 4, which also provides copies of comments submitted on the Draft IS/MND.

2. Comment Letters Received

Table 1-1 provides an index of all comment letters received and corresponding numbered responses. Comment letters are organized by category and then chronologically in the order the letter was received. Each letter is assigned a letter designation and each comment within that letter is numbered. Comment letters, bracketed by comment, are reproduced in their entirety and are followed by responses to each comment. Changes to the IS/MND, where deemed appropriate, are summarized in the response and refer to the applicable section in the IS/MND. Text changes are indicated with ~~strike through~~/underline. Text changes are also provided in the Final MND.

Table 1-1: Index to Comment Letters and Responses to Comments

Document Letter Designation	Agency/Respondent and Date of Letter	Response Designations
Tribal Groups		
A1	Native American Heritage Commission (Katy Sanchez), May 13, 2010	A1-1–A1-4
State Agencies		
B1	California State Senate (Sam Aanestad), May 3, 2010	B1-1
B2	Department of Conservation (Hal Bopp), May 26, 2010	B2-1–B2-2
County Agencies		
C1	County of Colusa, Department of Planning and Building Administration (Steven Hackney), June 3, 2010	C1-1–C1-4
Local Agencies		
D1	Princeton Fire Department (Manuel Massa), May 5, 2010	D1-1–D1-2
D2	Princeton Volunteer Fire Department (Andy Ferredelli), May 17, 2010	D2-1–D2-10
D3	Colusa Basin Drainage District (Eugene Massa, Jr.), May 19, 2010	D3-1–D3-3
Organizations		
E1	Colusa County Fair (Carolann Ferreria Meek), May 13, 2010	E1-1
E2	Nossaman LLP (Martin A. Mattes),	E2-1–E2-5

Reponses to Comments

Table 1-1: Index to Comment Letters and Responses to Comments

Document Letter Designation	Agency/Respondent and Date of Letter	Response Designations
	June 7, 2010	
E3	Hogan Lovells (Christopher A. Schindler), June 7, 2010	E3-1–E3-6
E4	Lucas Law (Ronda Azevedo Lucas), June 7, 2010	E4-1–E4-15
E5	PG&E, Land and Environmental Management (Chris Ellis), June 7, 2010	E5-1–E5-3
Public Participation/Individuals		
F1	Public Meeting, May 5, 2010	F1-1–F1-16
F2	Chris Torres, May 22, 2010	F2-1–F2-7

3. Public Meeting

In order to help understand the proposed project and to obtain public comments on the IS/MND, the California Public Utilities Commission (CPUC) held a public meeting on Wednesday, May 5, 2010, in the Multipurpose Room at Princeton High School at 473 State Street in Princeton, California, from 6:00 p.m. to 8:00 p.m. At the public meeting, the environmental team and CPUC staff were available to discuss the environmental document and to obtain public comments on the environmental document. Attendees were provided with comment cards and contact information with the option to submit comments at a later date. Several comments were received as a result of this meeting.

4. Response to Comments

Responses to comments follow this page.

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



May 13, 2010

Monisha Gangopadhyay
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

RE: SCH#2010042067 Central Valley Gas Storage Project; Colusa County

Dear Ms. Gangopadhyay:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. USGS 7.5 minute quadrangle name, township, range and section required.
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensibility, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

A1-1

A1-2

A1-3

A1-4

Sincerely,
Katy Sanchez
Katy Sanchez
Program Analyst
(916) 653-4040

CC: State Clearinghouse

Reponses to Comments

Native American Contact List Colusa County May 11, 2010

Wintun Environmental Protection Agency Dave Jones P.O. Box 1839 Williams, CA 95987 corwepa@hotmail.com (530) 473-3318 (530) 473-3319 (530) 473-3320 - Fax	Wintun (Patwin)	Cortina Band of Indians Chairperson PO Box 1630 Williams, CA 95987 (530) 473-3274 - Voice (530) 473-3190 - Voice (530) 473-3301 - Fax	Wintun / Patwin
Grindstone Rancheria of Wintun-Wailaki Ronald Kirk, Chairperson P.O. Box 63 Elk Creek, CA 95939 (530) 968-5365 (530) 968-5366 FAX	Nomlaki Wintun (Patwin) Wailaki Muimok	Cortina Band of Indians Thelma Brafford, Tribal Administrator P.O. Box 1630 Williams, CA 95987 (530) 473-3274 (530) 437-3301 FAX	Wintun/Patwin
Colusa Indian Community Council Wayne Mitchem, Chairperson 3730 Hiway 45 Colusa, CA 95932 rmitchum@colusanet.com (530) 458-8231 530-458-3866	Wintun (Patwin)	Colusa Indian Community Council Shannon Morganson, Tribal Administrator 3730 Hiway 45 Colusa, CA 95932 CICC@colusanet.com (530) 458-8231	Wintun (Patwin)
Yocha Dehe Wintun Nation Marshall McKay, Chairperson P.O. Box 18 Brooks, CA 95606 (530) 796-3400 (530) 796-2143 Fax	Wintun (Patwin)	Colusa Indian Community Council Tammy Fullerton, Environmental Coordinator 3730 Hiway 45 Colusa, CA 95932 rise.tammy@prodigy.net (530) 458-8231	Wintun (Patwin)

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2010042067 Central Valley Gas Storage Project; Colusa County.

Response to Comment Letter A1

Native American Heritage Commission

Katy Sanchez

May 13, 2010

- A1-1** As noted on page 5.6-1 of the Draft Initial Study/Mitigated Negative Declaration (IS/MND), record searches were conducted at the Northwest Information Center at Sonoma State University and the Northeast Information Center at California State University, Chico. The record searches were conducted for the project area, including the natural gas storage reservoir boundary, 14.7-mile pipeline alignment, and metering station area, as well as a 0.25-mile radius around these project components. The records searches consisted of reviews of archaeological site records and other cultural technical reports prepared for projects that overlap portions of the proposed project.
- A1-2** Archaeological and architectural history field surveys were conducted for small segments of the projects in the public right-of-way and where access permission was granted. The results of the surveys are discussed on pages 5.6-3 through 5.6-4 of the Draft IS/MND. The surveys failed to identify significant archaeological resources. A Cultural Resources Inventory Report was completed in February 2010. It will be submitted to the Regional Information Center after all parties have reviewed the report.
- A1-3** As discussed on page 5.6-2 of the Draft IS/MND, Native American consultation letters were faxed to the Native American Heritage Commission (NAHC) on June 2, 2008, as well as to various Native American representatives on June 16, 2008, requesting information regarding any sacred lands or sites within the proposed project study area. A second request was made on August 4, 2008, as a result of changes to the project. The list of Native American contacts attached to the comment letter included one contact, the Yocha Dehe Wintun Nation (Mr. Marshall McKay, chairperson), that had not been previously identified. Dudek called Mr. McKay and was directed to Mr. Reno Franklin at the Yocha Dehe. Two messages were left describing the location and nature of the project and giving the Yocha Dehe the opportunity to comment on the document. These phone messages were not returned, and it is assumed that they did not have any comments.
- A1-4** The Draft IS/MND discusses the potential to discover previously undisturbed resources during construction on pages 5.6-7 through 5.6-9. Applicant Proposed Measures CR-1 and CR-2 as well as Mitigation Measure CUL-1 will mitigate any potential impacts to a less-than-significant level.

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STATE CAPITOL
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SACRAMENTO CA 95814
(916) 445-3353
(916) 445-7750 FAX

California State Senate

SENATOR
SAM AANESTAD
FOURTH SENATORIAL DISTRICT

DISTRICT OFFICE
200 PROVIDENCE MINE ROAD
SUITE 108
NEVADA CITY, CA 95959
(530) 470-1846
(530) 470-1847 FAX



May 3, 2010

Monisha Gangopadhyay
California Public Utilities Commission
C/O Dudek
605 7th St.
Encinitas, CA 92924

Dear Commissioners:

Central Valley Gas Storage Project a subsidiary of Nicor Inc. has filed an application with the CPUC for a Certificate of Public Convenience and Necessity for the purpose of developing the Central Valley Gas Storage Project in Colusa County, California.

The goal of this project is to convert, construct and operate the depleted Princeton Gas Field as a natural gas storage facility with the gas being stored and withdrawn based on customer demand.

There was an Environmental Data Resources Data Map Corridor Study done and the report did not discover any problems or issues associated with this project related to environmental contaminates.

This project will result in positive economic activity for the region and this known technology is beneficial and productive. Your consideration of approval is encouraged.

Sincerely,

SAM AANESTAD
Senator, Fourth District

SA/kd

B1-1

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Response to Comment Letter B1

California State Senate

Sam Aanestad

May 3, 2010

- B1-1** The commenter expresses his support for the project and notes that the Environmental Data Resources Data Map Corridor Study that was done did not discover any environmental contaminants. No further response is required.

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NATURAL RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, GOVERNOR



DEPARTMENT OF CONSERVATION

Managing California's Working Lands

District 6 Office

Division of Oil, Gas, & Geothermal Resources

801 K STREET • MS 20-22 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 322-1110 • FAX 916 / 322-1201 • TDD 916 / 324-2555 • WEB SITE conservation.ca.gov

May 26, 2010

Ms. Monisha Gangopadhyay
California Public Utilities Commission
c/o Dudek
605 Third Street
Encinitas, CA 92024

Dear Ms. Gangopadhyay:

CENTRAL VALLEY GAS STORAGE PROJECT DRAFT MND

Thank you for the opportunity to comment on the subject Draft Mitigated Negative Declaration.

We have two comments:

Mitigation Measure HAZ-6, Page MND-25, states the "The Gas Monitoring Plan will be submitted to California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) for approval; a copy will be submitted to the CPUC." While a very worthwhile mitigation measure, it is not clear that DOGGR would have regulatory authority over the entire Gas Monitoring Plan, particularly with regards to shallow soil testing. The monitoring of all wells involved with this project will be clearly defined and under the jurisdiction of DOGGR; however, the link to shallow soil testing is not entirely clear. Perhaps it would be sufficient to state that "DOGGR will review results of the Gas Monitoring Plan and implement any well monitoring that is required as a result of the information obtained."

B2-1

Table 1-1, Required Permits or Approvals, Page 1-3 states that DOGGR conducts "Pipeline plan review and approvals". The role of DOGGR in pipeline plan review and approvals for gas storage projects is limited to those pipelines associated with water disposal. Otherwise, pipeline plan review and approval authority falls to the CPUC.

B2-2

Sincerely,

Hal Bopp
Hal Bopp
Deputy Supervisor

The Department of Conservation's mission is to balance today's needs with tomorrow's challenges and foster intelligent, sustainable, and efficient use of California's energy, land, and mineral resources.

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Response to Comment Letter B2

Department of Conservation, Division of Oil, Gas, and Geothermal Resources

Hal Bopp

May 26, 2010

B2-1 Mitigation Measure HAZ-6 will be revised to state the following:

Mitigation Measure HAZ-6: Central Valley will prepare and implement a Gas Monitoring Plan prior to construction. The Gas Monitoring Plan will address the type and frequency of gas monitoring well tests, both surface and in shallow soils; the frequency of wellhead inspections by a qualified operator; monitoring requirements for abandoned wellheads; and reporting requirements. The Gas Monitoring Plan will be submitted to ~~DOGGR~~ the California Department of Toxic Substances Control (DTSC) for approval. DTSC will review results of the Gas Monitoring Plan and request implementation of any additional monitoring that is required as a result of the information obtained. A copy will be submitted to the CPUC. Dudek will be responsible for monitoring natural gas at shallow depths near the ground surface.

The four primary elements of this gas monitoring plan are:

1. Establish a baseline or background level for natural gas at the surface prior to storage operations. This will allow comparison and sound evaluation of future project-related gas monitoring results.
2. Periodically measure for levels of detectable gas at predetermined surface locations. This will allow the storage operator to ascertain whether the levels of gas detected at the surface, if any, have increased noticeably above the previously established background levels. It is expected that small variations may occur, which may not individually rise to any significant level, but trends over several sample periods could provide an indication of a change that requires further investigation.
3. Quantify and, if necessary, qualify any changes in an attempt to identify the source. First, based on sampling and testing of gas samples, determine whether the gas quality signature is similar to the native gas production in the area or to pipeline gas. Gas in the storage reservoirs will be almost exclusively pipeline gas with components that should be relatively easy to identify compared to native gas.
4. Based on any specific changes observed, Central Valley shall respond to the data and corresponding analysis with additional testing, surveillance, or mitigation, as appropriate. If the data indicates that any detected surface gas is from the storage operation, then a plan will be developed to identify the leaking pipeline, well, or reservoir, including procedures to further test and correct the situation. The overall gas monitoring plan will be evaluated after 5 years to determine its future usefulness.

Reponses to Comments

The monitoring plan will consist of the following features:

- Permanent monitoring/testing sites at the project remote well pad site and compressor station site
- Leakage surveys at predetermined locations at least once each year
- Utilization of standard, industry-approved gas measurement equipment
- Field personnel trained on gas sampling methods and instrumentation, identifying stressed vegetation, and other indicators of potential leakage.

B2-2 The fourth row of Table 1-1 will be revised as follows:

Pipeline plan review and approvals associated with water disposal.



STEPHEN M. HACKNEY, AICP
DIRECTOR

COUNTY OF COLUSA

DEPARTMENT OF
PLANNING AND BUILDING ADMINISTRATION
220 12th Street
Colusa, California 95932
TELEPHONE (530) 458-0480 FAX (530) 458-2035

June 3, 2010

Monisha Gangopadhyay
California Public Utilities Commission
c/o Dudek
605 Third Street
Encinitas, California 92024

Re: Comments on the Mitigated Negative Declaration, Central Valley Gas Storage Project, CPCN Application No. A09-08-008

Dear Ms. Gangopadhyay:

Thank you for the opportunity to provide comments to the above named project. My comments are limited to *Section 5. Evaluation of Environmental Impacts* of the MND.

5.8 Hazards And Hazardous Materials

5.8.1 Environmental Setting

Fire Hazards, page 5.8-2: It is unclear as to the purpose to be served in opening the discussion with the California Department of Forestry and Fire Protection (CAL FIRE). The project, in all its aspects, is located primarily within the Princeton Fire Protection District, and the latter end of the pipeline, near the Delevan Compressor plant, is in the Maxwell Protection Fire District. The section should have started with these two fire districts, and described their area of responsibility to the project. The initial impression, for the reader, is that CDF/CalFire has responsibility, which of course is not the case. CDF/CalFire's area of responsibility doesn't begin until approximately 5-8 miles to the west of the very western end of the project's pipeline. It is not until Lines 5-7, page 5.8-5, that the document references "local fire departments and fire protection districts" that would be responsible for fire suppression services.

C1-1

5.9 Hydrology And Water Quality

5.9.3 Environmental Impacts

Impact Discussion, (a), *Violate any water quality standards . . .*, page 5.9-10: The discussion of saline water produced from the gas storage formations is very minimal. The essence of the paragraph relies wholly upon "the stringent requirements and oversight of DOGGR . . ." The potential impact to potable groundwater quality is not fully outlined and discussed at any reasonable length. The proximity of the Community of Princeton and its reliance upon the very aquifer in which the reinjection wells will drill through, should have warranted a much more detailed and assuring discussion of this issue.

C1-2

Impact Discussion, (f), Otherwise substantially degrade water quality? Page 5.9-13: The discussion regarding gas entering the aquifers is very minimal, especially as the report notes “there is a potential that gas could enter the aquifers through cracks, faulting, or other anomalies. This could result in contamination of the aquifers with methane and other trace continuances of natural gas.” Again, the study relies on monitoring and reporting to DOGGR. Aside from mentioning “depressurization of the reservoir” no other mitigation measure is given. And what are the effects of this action? What lasting impacts to the water quality of the aquifer? Very minimal discussion and very minimal mitigation measures.

C1-2
(Cont.)

5.10 Land Use And Planning

5.10.1 Environmental Setting

Remote Well Pad Site, et al., page 5.10-5: The study notes the project is located on land in the Williamson Act. One sentence, but no discussion or analysis about the Williamson Act or to what extent the compressor station consisting of three permanent buildings, and installation of numerous aboveground components, may have on lands in the Act. The County’s Williamson Act contract provides, as a compatible use, such facilities, but only by application for a Use Permit.

C1-3

5.16 Transportation/Traffic

5.16.1 Environmental Setting

Primary Access Roads, page 5.16-3: The study states the primary access road from SR-45 will be Dodge Road. Early discussion with the applicant indicated Southam Road would be the primary access road. The applicant, and their consultants, should be conducting communications and coordinate their proposed use of County roads with the County Department of Public Works.

C1-4

Again, I would like to thank you for this opportunity to comment on your department’s MND.

If you have any questions regarding the above comments, please do not hesitate to contact me.

Very truly yours,



Stephen Hackney, AICP
Director of Planning & Building
County of Colusa
shackney@countyofcolusa.org

Response to Comment Letter C1

County of Colusa Department of Planning and Building Administration

Stephen Hackney

June 3, 2010

C1-1 The discussion of the California Department of Forestry and Fire Protection (CAL FIRE) was intended to describe the manner in which responsibility areas are classified in the state, including the difference between State Responsibility Areas and Local Responsibility Areas. Unfortunately, since the discussion begins with CAL FIRE, there is an implication that they respond in this area. As noted by the commenter, it is stated in the middle of the paragraph on page 5.8-5 that “The project area is located in a Local Responsibility Area, and local fire departments and fire protection districts would provide fire suppression services to the project area in the event of a fire.” The text also does not state that in the event of a fire, the project operators who have specialty training in responding to incidents at gas storage facilities would be the first responders. The fire hazards discussion on pages 5.8-2 and 5.8-5 will be replaced with the following:

The State of California Department of Forestry and Fire Protection (CAL FIRE) has identified Federal Responsibility Areas, State Responsibility Areas, and Local Responsibility Areas throughout the state. The project area is located in a Local Responsibility Area, and local fire departments (Princeton Fire Protection District and the Maxwell Fire Protection District) would provide fire suppression services to the project area in the event of a fire.

It is important to note that project operators would be the first responders in cases of any emergency hazard/fire situation associated with the proposed project.

CAL FIRE is the umbrella planning agency under which the Maxwell and Princeton fire departments operate. CAL FIRE planning incorporates concepts established in the national and State of California Fire Plans, the CAL FIRE Unit Fire Plans, and community wildfire protection plans. CAL FIRE has organized California into 21 administrative fire units (a fire unit can include single or multiple counties), each covered by a Unit Fire Management Plan. Colusa County is located in the Sonoma-Lake-Napa Fire Unit. The Unit Fire Management Plan identifies high-value, high-risk areas within the fire unit and discusses strategies to reduce the damage caused by wildfires. CAL FIRE identifies high-risk areas by examining several factors including vegetation type, topography, fire history, and frequency of severe fire weather.

The nearest Federal Responsibility Areas to the project include the Sacramento and Delevan NWRs. There are no State Responsibility Areas in the vicinity of the project

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area (State Responsibility Areas are generally located west of I-5 within Colusa County). The majority of the project area has not been assessed for fire hazard severity and is designated “unzoned” by CAL FIRE (CAL FIRE 2007). Colusa County designates the project area as a low fire hazard severity zone (Colusa County 1989). A small section of the project area west of I-5 is designated as moderate for fire hazard severity by CAL FIRE and Colusa County. Fire services are discussed in detail in Section 5.14, Public Services.

In addition to the revised text described above, the text shown below will be added to the document on page 5.14-4 following “a) Fire Protection”:

Central Valley would have six to eight full-time employees. In the case of any upset or unusual situation, communication of any operational upset or emergency would be done through the plant control system and pagers or cell phones carried by individual employees.

The first level of response is the computer control system for the plant. The control system would first respond by identification of the situation, isolation of the high-pressure gas, and elimination of the gas from the affected area. This system for control of gas compressor systems has been under a constant state of development starting as early as the 1960s.

After the plant control system triggers a response, employees would be notified in accordance with the project’s emergency response procedures, which would be written prior to commercial operation. In the case of operational upsets or unusual conditions during manned hours (daylight), human response would be almost immediate. In the case of night or unmanned operation, personnel would be notified immediately. More specifically, during the construction phase, any event on the pipeline or an off-site incident would likely be responded to in the 10- to 20-minute time frame. During the operations phase, an event on the pipeline would likely be responded to within 30 minutes during periods when the Central Valley facility is manned, and 45 to 60 minutes when the facility is unmanned.

Nicor, Inc., states that it currently fights all fires on its facility sites with company personnel (Schnegelsberg et al., pers. comm. 2010). First responders from local fire departments are asked to come to the plant gate and wait for company personnel to stabilize the situation before entry onto the plant site.

With regard to the potential for an accident off site, it is important to note that gas pipeline design, internal inspection protocols, cathodic protection systems, landowner education, and sign programs have dramatically improved the safety of all pipeline systems. Responses due to off-site conditions are rare, but may take longer than on-

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site problems. If there were a pipeline rupture due to physical damage to the pipe, several things would happen. First, gas volumes measured at either end would change substantially. Further, line pressures would decline rapidly. Either of these changes would be indicative of a potential problem with the gas pipeline. The most common method of management of gas pipeline conditions is to close the block valves at both ends of the pipe, which can be done remotely. A stable pipeline pressure indicates the pipe is secure. A falling pressure indicates a line problem. From a first response standpoint, this would trigger a callout of operating personnel.

It is important to note that Nicor operates 7 gas storage fields and has gas facilities located in approximately 300 communities in Illinois. The effective emergency response plans developed in over 50 years of operation would be the model for development of the project's plan. Colusa County has approximately 1,375 existing natural gas wells, of which about 800 are active. According to DOGGR, there has been no experience with leakage problems in all of Northern California. There were two cases in Montebelo field and Playa del Rey in Southern California, and they were the result of injection into older wells that were not up to standard.

C1-2 The following mitigation measure will be added to the Draft Initial Study/Mitigated Negative Declaration (IS/MND) to assure that potable groundwater aquifers are not affected by the accumulation, storage, and re-injection of saline formation water produced during storage and extraction of natural gas in the Princeton Gas Field:

Mitigation Measure HAZ-9:

- Inspect produced-water storage tank(s) for integrity/leakage on an annual basis.
- Meter produced and injected formation water; periodically reconcile produced versus injected formation water quantities.
- Construct secondary containment berm around tank(s).
- Leak/pressure testing of the casing from below the base of freshwater to ground surface to verify that under injection pressures the well cannot leak saline fluid into the freshwater aquifer zones.

Based on the operating experience with initial production of gas reservoirs, as well as storage of natural gas in depleted reservoirs, the primary pathway for potential contamination of overlying potable aquifers is through leaking well casings and/or annular cement seals surrounding well casings. It should be noted that methane gas is nontoxic. The following mitigation measure will be added to the Draft IS/MND regarding constructing and verifying leak-free gas production/injection wells:

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Mitigation Measure HAZ-10:

- Proper gas well design. The primary aquifer protection mechanism is structurally sound, leak-free casing, and there is a competent cement bond across the base of freshwater with either the surface casing or the injection/production casing. The well design is regulated by DOGGR. Verification of adherence to well design is accomplished by inspection and by running cement bond logs after construction is completed.
- Periodic monitoring for indications of leakage. This includes annual temperature logging of the wells, which will detect vertical formation fluid/gas movement within the borehole area above the zone of intent.
- Well work to repair casing and/or annular cement seal leakage if detected.

The existing Mitigation Measure HAZ-9 will be renamed to Mitigation Measure HAZ-11.

C1-3 The third paragraph on page 5.10-5 will be revised to state the following:

The 3.1-acre remote well pad site would be located on the west side of McAusland Road, approximately 1,800 feet south of the proposed compressor station site boundary. An approximately 5-acre fenced buffer area would surround the remote well pad site. The proposed site is centrally located above the natural gas storage reservoir and, similar to the compressor station, is located on an agricultural parcel used for rice production. The parcel on which the proposed site is located is entered into a Williamson Act contract. The remote well pad site would result in the conversion of 8.1 acres of a 47-acre site. The Williamson Act allows for these uses with the approval of a Use Permit. Please see Section 5.3 for further discussion of the Williamson Act. Three rural residences are located less than 2,000 feet from the remote well pad site and buffer area boundary. These residences are located 1,700 feet to the northeast, 1,000 feet to the southeast, and 1,650 feet to the southeast.

In addition, the text in Table 1-1 related to the Colusa County Planning and Building Department approvals will be revised as shown below:

~~Approvals for release of Williamson Act Lands (if there are any).~~ Conditional Use Permit

C1-4 The primary access road has been revised to be Southam Road. The text on page 5.16-3 will be revised as shown below:

Reponses to Comments

Primary Access Roads

Primary access roads to the project area include I-5, SR-45, Delevan Road, and ~~Dodge~~ Southam Road. Below is a description of each of these primary access roads.

The text on page 5.16-4 will be revised to state the following:

~~Dodge~~ Southam Road is a paved, two-lane local road that connects local farm roads with SR-45 in the eastern project area. In the project vicinity, average traffic volume on ~~Dodge~~ Southam Road is unknown but assumed to be less than 300 vehicles per day.

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CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC)
Initial Study/Mitigated Negative Declaration
Central Valley Gas Storage Project

Written Comment Form
(please print)
Wednesday, May 5, 2010

Name*: MANUAL MASSA
Affiliation (if any)* Princeton Fire Dept
Address*: P.O. Box 295
City, State, Zip Code*: Princeton GA. 95970
Telephone Number*: 530-519-8631
Email*: mtb.MASSA.2002@yahoo.com

I have turned my notes over to our Fire Chief, Andy Ferrandelli. He is working on our response. I would just like to repeat my request for an extension so that our fire board has time to review the study. Rice planting will be completed in May and we will have the time to meet. We are impacted by the project!

D1-1
D1-2

Manual Massa
Fire Board Secretary
and Volunteer Fireman - First Responder

* Please print. Your name, address, and comments become public information and may be released to interested parties if requested.

Please either deposit this sheet at the sign-in table before you leave today, or fold, stamp, and mail. Insert additional sheets if needed. Comments can also be faxed or emailed. Comments due by May 22, 2010

(See reverse for additional information)

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Response to Comment Letter D1

Princeton Fire Department

Manuel Massa

May 12, 2010

- D1-1** Comment noted. Please see Response to Comment Letter D2.
- D1-2** Following the public meeting on May 5, 2010, the California Public Utilities Commission considered the request for an extension of the review period. The comment period was extended for an additional 2 weeks and closed on June 7, 2010, at the request of commenters and in consideration of the May 22nd Princeton Fire Department Board meeting.

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Princeton Volunteer Fire Department

PO Box 176
Princeton, CA 95970

California PUC, thank you for holding a hearing in the small community of Princeton for the Central Valley Gas Storage Project (CVGSP). It is encouraging that small communities like Princeton get personal attention for such major projects that affect the communities these projects are destined for.

D2-1

As Chief (Ferrendelli) of the Princeton Volunteer Fire Department not Masa (Massa) (page 5.14-1) I was unable to attend the hearing due to a prior engagement booked a year in advanced. Based on discussions with Mr. Massa (Director of the Princeton Fire Protection District) who was in attendance as my stand in and board representative; I believe that there is a serious need for an extension of 90-days for the approval of the Initial Study and Mitigation Negative Declaration for CVGSP (application # A 09-08-008). Although, I believe that this project is workable, it is my opinion and Mr. Massa's that there are significant impacts that have not been addressed and/or need clarification.

D2-2

There was inadequate time to read and discuss the Initial Study and Mitigation Negative Declaration for CVGSP (application # A 09-08-008) report before the PUC hearing, this is a very small rural agriculture community in the midst of spring planting. We would rather attempt to do things properly the first time and not be rushed into something with flaws and/or errors.

Page 5.14-1 the check off box states that everything is less than significant; I would disagree with the judgment of this document's author.

D2-3

I understand that there will be 350 to 400 people involved with the construction phase of the CVGSP. That alone is an extreme impact to the small community of Princeton with a population of approximately 370. I have not read in the document where this influx of workers (who will be commuting) have been serviced so as not to stifle the community. This is a small rural community with one grocery store, one parts house, one post office, two schools and a fire department. Additionally, there appears to be no evidence of mitigation to potential injury due to additional traffic, which places additional strain on the Princeton Fire Department as well as countywide emergency services.

D2-4

With such a large construction project there will be significant opportunity for injury or worse requiring emergency personnel. This obviously will have a major impact on our personnel and equipment. Additionally, in the event of an incident there must be provisions for the air ambulance (landing Zone).

D2-5

CAL FIRE has no jurisdiction over this project to my knowledge and has no over-site responsibilities on or within the Princeton Fire Protection District.

D2-6

The significant impact for the need of special training for fire service personnel to properly deal with incidences should emergency needs arise. It is understood that the event of such an emergency occurring is rare but with recent global implications (Gulf 2010) there is a possibility of catastrophic failure. Offering training available in the Midwest puts an undue strain on our small department.

D2-7

Reponses to Comments

In the event of a fire incident there is no water readily available it must be trucked in (tenders) and places a significant impact on current resources of the fire department.

]-D2-8

Although staging is addressed at the highway 99 site, there appears to be no staging area for the construction site in Princeton. This is significant because there will be a need for equipment, employees, parking and products necessary for construction. It will impede the local commerce of the area by not having a designated area with appropriate space other than existing roads.

]-D2-9

Other significant issues:

Drainage, this is a clay area with one small drainage ditch, there needs to be a percolation test to see if run off will be absorbed into the soil in a reasonable amount of time.

]-D2-10

Thank you, for your consideration in granting a 90-day extension on the Central Valley Gas Storage Project Initial Study and Mitigation Negative Declaration for CVGSP (application # A 09-08-008).


Andy Ferrendelli, Chief
Princeton Fire Protection District
alfer@frontiernet.net

Response to Comment Letter D2

Princeton Volunteer Fire Department

Andy Ferrendelli

May 17, 2010

- D2-1** Comment noted. The commenter expresses appreciation for the California Public Utilities Commission holding a local public meeting.
- D2-2** Following the public meeting on May 5, 2010, the California Public Utilities Commission considered the request for an extension of the review period. The comment period was extended for an additional 2 weeks and closed on June 7, 2010.
- D2-3** On pages 5.14-4 through 5.14-6 of the Draft Initial Study/Mitigated Negative Declaration (IS/MND), there is a discussion of each public services impact and evidence presented to support the finding of a less-than-significant impact. The commenter states that he disagrees with this conclusion, but has not provided sufficient evidence to support the claim that impacts to specific resource areas are not less than significant.
- D2-4** In order to determine the peak number of workers during construction, it is necessary to look at the representative construction schedule. Please note that this is a representative schedule intended to highlight when overlap of construction would occur. The actual dates of construction would be dependent on when various approvals are received. There are two construction periods where several project components would be constructed during the same time period. During the period between October 2010 and January 2011 (4 months), there would be approximately 350 workers at all of the construction sites including the compressor station, remote well pad site, observation wells, metering station, and pipelines. The second period of time when there would be an overlap and a larger number of workers is between April and October 2011 (7 months). Approximately 335 workers would be present during that period of time. During this time period, the workers would not be concentrated in one area; they would be spread out at the different project component locations.

During the October-through-January period, approximately 245 workers would be located just south of Princeton to work on the temporary pipeline, remote well pad site, and observation wells. As the commenter has notes, there are few services available in Princeton, and for this reason it is anticipated that workers would utilize services located in the nearby City of Colusa and the City of Williams. All services including restaurants, lodging, and other facilities are available in these cities. While some workers may occasionally go to Princeton to pick up items at the grocery store

Reponses to Comments

or use the post office, it is unlikely that this occasional use would stifle the community and could bring some economic benefit. It is also important to consider that this concentration of employees would only occur during a 3-month period. It would not be permanent.

During the period between April and October 2011, approximately 75 workers would be located at the compressor station just south of the community of Princeton. The remaining workers would be at different locations along the pipeline route (connection to the Pacific Gas and Electric (PG&E) 400/401 line and the metering station). Although the total number of workers is 335, they are in different locations and would not be concentrated near the community of Princeton. As noted above, due to the lack of services in Princeton, it is anticipated that the workers would utilize services in the City of Colusa and City of Williams. The commenter has not presented any evidence that these workers would create an influx into the community of Princeton.

As discussed above, the peak number of workers at any one time would be 350. Section 5.16, Transportation/Traffic, discusses the traffic associated with the project. Although there would be an increase in trips, there is a low level of traffic on project roadways. Further, the peak construction periods are short and not all of the construction traffic would be concentrated in one area. It is not anticipated that the project would create any additional traffic hazards and injuries as a result of traffic accidents.

D2-5 As discussed in Response D2-4, there are only two relatively short periods of time where there would be a concentration of workers. It is important to note that in the event of an accident on site, the project operators would be first responders and there would be little, if any, impact on the Princeton Fire Department. There are many safeguards and regulations related to worker safety in California. The project would be required to adhere to all safety regulations. There are numerous projects throughout the State of California that are much larger than the proposed project that are constructed without injury or accidents. Although it is not possible to completely eliminate the potential for injury or accident, it is a less-than-significant impact on the Princeton Fire Department since they would not be the first responders. In order to further ensure that there is very little impact to the Princeton Fire Department, Central Valley Gas Storage, LLC (Central Valley), has agreed to make an annual contribution for the fire department's ongoing operations for a minimum period of 5 years and provide training for two people per year for a minimum of 5 years.

There has been no evidence presented to indicate that an ambulance landing zone would need to be designated for this project. In the unlikely event that a helicopter

Reponses to Comments

would be needed to transport someone, the area is primarily agricultural and there are a number of areas where a helicopter could land. Identification of a landing zone may not be useful since helicopter pilots routinely select their landing location based on the location of the incident.

D2-6 It is recognized that the discussion of the California Department of Forestry and Fire Protection (CAL FIRE) caused some confusion. The intent of the discussion was to set forth how fire responsibilities are determined throughout the state. The Draft IS/MND provides an overview of CAL FIRE and identifies the different types of responsibility areas. The document states on page 5.8-5 that “The project area is located in a Local Responsibility Area and local fire departments and fire protection districts would provide fire suppression services to the project area in the event of a fire.” The Draft IS/MND also discusses fire protection on pages 5.14-1. The document states that “Fire protection services to the project area and vicinity are provided by both the Princeton Fire Protection District (PFPD) and the Maxwell Fire Protection District.” It should also be noted that in the event of a fire on the project site, the project operators would be the first responders, not the Princeton Fire Department or the Maxwell Fire Protection District. Please see Response C1-1 for revisions to the text intended to clarify this issue.

D2-7 As noted above, the project operators are specially trained at a Nicor, Inc., facility to deal with any incidents that could potentially occur. Nicor established a firefighter training school in Illinois where firefighters from the 300 communities attend. The school is a 1-day seminar on fighting natural gas fires. Central Valley has agreed to train a minimum of two people from the project area fire departments each year for a minimum of 5 years. It has yet to be determined whether this training will take place at the Nicor facility or at a comparable facility in California that may be more cost effective. In addition, Central Valley will provide two members of the Princeton Fire Department with site familiarization and training during construction. This site familiarization will include the following:

Tour #1- As early as late 2010 or early 2011

- Well pad area during drilling or construction
- Compressor site while still “in ground”

Tour #2 – Early 2011

- Well pad area during injection operation
- Compressor site with major equipment placed

Reponses to Comments

- Pipeline right-of-way

Training and Tour #3 – Mid to late 2011

Agenda to be set by Princeton Fire and Central Valley operations manager

Site familiarization during operations

Central Valley and Princeton Fire procedures during event

Location of key emergency equipment.

- D2-8** As noted above, project operators are specifically trained to respond to fires at gas storage facilities. Water is not particularly effective at putting out natural gas or oil fires. Gas fires are put out by eliminating the fuel supply (closing the valve to isolate the fuel source), or by use of dry-agent fire extinguishers. Company personnel and local firefighters are trained in both isolation and fire extinguisher use. Nicor will keep portable and wheel-based fire extinguishers from Ansul with a dry agent called “Purple-K” on site.
- D2-9** A staging area in Princeton is not anticipated. There may be an occasional need for some type of small fenced staging area for activities near the remote well pad site, but there are locations that are more suitable than the community of Princeton in the event that becomes necessary. Any site selected would be located in an existing disturbed and graded area.
- D2-10** The potential for runoff is discussed in Section 5.9, Hydrology and Water Quality. The implementation of Applicant Proposed Measures discussed in Section 5.5, Biological Resources, and 5.9 including BIO-2, BIO-6, HYDRO-1, and HYDRO-2 will ensure that runoff will not result in significant impacts.



COLUSA BASIN DRAINAGE DISTRICT
P.O. Box 390
Willows, CA 95988-0390
(530) 517-0260 Telephone / (530) 934-2805 Facsimile

May 19, 2010

Monisha Gangopadhyay
California Public Utilities Commission, c/o Dudek
605 Third Street
Encinitas, CA. 92024

Re: Central Valley Gas Storage Project

Dear Ms. Gangopadhyay:

I am writing on behalf of the Colusa Basin Drainage District Board of Directors to request a ninety (90) day extension to the comment period on the Initial Study/Mitigated Negative Declaration, Central Valley Gas Storage Project. We make this request on the basis that this project is located within the boundaries of the Colusa Basin Drainage District (CBDD), and the CBDD was not provided with actual or constructive knowledge of the Initial Study/Mitigated Negative Declaration, or the public hearing prior to the morning of May 5, 2010. As the CBDD is authorized by state and federal legislation with managing the issues of flood management, subsidence, and groundwater recharge within the Colusa Basin and as this project has direct impacts to two of these three functions, we have a direct interest in this project.

D3-1

Additionally, on April 23, 2010, at the Veneco Inc. Gas Well Site located near Glenn County Roads 44 and S, while pulling out of the 1500 foot hole preparing to set the surface casing string, Ensign/Veneco encountered the collapse of the underlying gas cavern. This collapse caused a constant stream of water to shoot 200 feet into the air for over six hours. During this event, the rig was reported by individuals at the site to have subsided a few feet. Halliburton was able stabilize the site after pumping 900 cubic yards of concrete (100 trucks) into the hole (See attached California Emergency Mgmt Agency Hazardous Materials Spill Report). This site is located approximately twelve miles from the proposed CVGS site, and is also located similar in distance to the Willows Fault as the CVGS project. To date Veneco Inc. has been unable to determine what exactly caused this well and the underlying strata to become unstable and collapse. From contact with Veneco Inc., and others, it is believed that an answer may be available toward the end of the requested 90 day extension period. Absent the knowledge from the events that occurred at the Veneco locale, the data contained in the

D3-2

Colusa Basin Drainage District Board of Directors: District 1 – Leigh McDaniel, Mike Vereschagin, Vice Chair, and Lance Boyd. District 2 – Gary Evans, Bruce Rolan, and John Garner. District 3 – Lynnel Pollock, Chairperson, Cathy Busch, and George Tibbitts.

Reponses to Comments

Initial Study/Mitigated Negative Declaration may not remain accurate.

It is for the above stated reasons that the CBDD has requested a 90 day extension of the comment period on the above referenced matter. Should you have any questions about this request, please do not hesitate to contact me at (530) 517-0260, or contact Board Chairperson, Lynnel Pollock at (530) 383-5640.

↑ D3-2
(Cont.)
↓ D3-3

Sincerely,

Eugene Massa, Jr.
General Manager

Colusa Basin Drainage District Board of Directors: District 1 – Leigh McDaniel, Mike Vereschagin, Vice Chair, and Lance Boyd. District 2 – Gary Evans, Bruce Rolan, and John Garner. District 3 – Lynnel Pollock, Chairperson, Cathy Busch, and George Tibbitts.

Response to Comment Letter D3

Colusa Basin Drainage District

Eugene Massa, Jr.

May 19, 2010

D3-1 The project was noticed in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15072. Following the public meeting on May 5, 2010, the California Public Utilities Commission considered the request for an extension of the review period. The comment period was extended for an additional 2 weeks and closed on June 7, 2010.

The project would store and extract gas from reservoir zones at a depth of 1,980 to 2,220 feet below land surface, and would be isolated from overlying freshwater aquifer layers.

Operation of the project would not significantly affect land surface elevations and therefore would not impact overlying flood management activity. There would be no net long-term withdrawal of fluids from the Princeton Gas reservoir, so the project would not have an impact on land subsidence that may be occurring in the area. No significant water would be removed or added to the overlying aquifer, so there would be no impact to groundwater storage.

D3-2 The incident at the Venoco, Inc., gas well site (Willows 49-29, API # 02121010) at 8:30 p.m. on April 23, 2010, occurred during the initial stages of drilling a gas well. The hole had been advanced to a depth of 1,550 feet, and drill tools were being removed from the hole in preparation for setting surface casing. Venoco's intent was to install steel casing with cement to a depth of approximately 1,500 feet, 300 feet below the base of freshwater per agreement and permit with the California Department of Conservation Division of Oil, Gas, and Geothermal Resources (DOGGR). Once the casing has been cemented into place, the standard practice is to install a blowout preventer stack (large valves designed to shut in the well) on the surface casing.

After 350 feet of drill pipe had been removed from the hole, it vigorously flowed mud and fresh groundwater for a period of several hours and ceased flowing by 6:00 a.m. the following day. While flowing, the well expelled a considerable quantity of mud and gravel along with freshwater. Because the hole was not cased and therefore had no blowout preventer equipment installed, the flow could not be shut off.

Reponses to Comments

Gas detectors at the perimeter of the site exclusion zone did not detect methane or flammable gas, and it was the opinion of those on site that the well, although probably expelling some gas, was principally flowing water and formation material.

To stabilize the hole, Venoco pumped an estimated 560 to 900 cubic yards of cement or concrete into the hole; the volumes are unconfirmed estimates at this time. Venoco completed its investigation into the cause(s) of the blowout and submitted a summary to DOGGR. At this time, Venoco has suspended work on the well.

In discussion with Hal Bopp of DOGGR and Mike Edwards of Venoco and in a letter dated June 18, 2010, submitted by Keith Wenal of Venoco to Hal Bopp, the Willows blowout is possibly attributed to the hole encountering a zone in the area of 1,200–1,500-foot depth that was pressurized by a shallow pocket of gas, unrelated to the target zone reservoir gas, which is located at a depth of approximately 5,000–6,000 feet below ground surface. As the expanding gas from the pressurized zone lifted fluid from the borehole, that fluid was replaced by water produced from a relatively prolific freshwater aquifer zone. Another possibility is migration of formation fluids and gas both vertically up an adjacent well bore and horizontally 275 feet through porous and permeable sands to over pressure the sand encountered at 1,500 feet in the 49-29 well bore. A third possibility, “swabbing” (which can occur when removing the drill pipe), was concluded to be contributory but not a direct cause of the event.

The well 49-29 blowout is considered by DOGGR and Venoco to be an extremely unusual event, and it is not considered likely to occur during the proposed drilling to complete the Central Valley Gas Storage Project. Informal discussion with DOGGR and Venoco indicates that the mitigation to prevent such a shallow pressurized zone from flowing and blowing out would be to increase the weight of the drilling mud while drilling the surface casing borehole.

D3-3 See Response D3-1 regarding the request to extend the comment period.

Comment Letter E1



CAROLAN FERRERIA MEEK
C.E.O.

1303 10th Street, Colusa, CA 95932
(530) 458-2641 or 458-2661
Entry Dept. (530) 458-5662
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Monisha Gangopadhyay
California Public Utilities Commission
C/O Dudek
605 Third Street
Encinitas, California 92024

Dear Ms. Gangopadhyay,

I am writing to you to express my feelings on Nicor and their project located in Princeton, California known as Central Valley Gas Storage.

I was born and raised in Colusa County and am currently the CEO of the Colusa County Fairgrounds which is mostly a self sustaining state agency that provides event facilities and services to the community of Colusa County. I am happy that Nicor is here and that they have selected Colusa County for their project.

Central Valley Gas Storage will bring much needed tax revenue to Colusa County. They will create immediate and well as long term employment which is very much needed in our rural area.

Central Valley Gas Storage will be a positive step in the economic development in Colusa County. Their presence will bring much needed revenue to the local businesses, as well their commitment to being a long term partner.

Central Valley Gas Storage is taking an unused and depleted natural resource and using it for the betterment of everyone. The history and experience of their company give me great confidence that they can handle any and all issues that may arise out of the development of the project.

I definitely support Central Valley Gas Storage and would recommend their project for Colusa County.

Sincerely,


Carolan Ferreria Meek
Chief Executive Officer

E1-1



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Response to Comment Letter E1

Colusa County Fairgrounds

Carolan Ferreria Meek

May 13, 2010

- E1-1** Comment noted. The commenter expresses her support for the project and did not comment on the Draft Initial Study/Mitigated Negative Declaration. No further response is required.

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Date: 6/7/10 Time: 9:02 am Pages: 5 [including cover page]

To: **Monisha Gagopadhyay**
Company: **California Public Utilities Commission**
c/o **Dudek**
Fax: **760 632 0164** Phone: **760 942 5147**

From: Martin A. Mattes Phone: 415.398.3600
E-Mail: mmattes@nossaman.com Client: 400620-0001

Message: The attached Comments of Enerland, LLC on the Initial Study/Minimum Negative Declaration for CPCN Application 09-08-008 (State Clearinghouse No. 2010042067) also were sent to you by U.S. Express Mail on June 5, 2010.

Respectfully submitted,

Martin A. Mattes
of Nossaman, LLP
Attorneys for Enerland, LLC

IF YOU DO NOT RECEIVE THE NUMBER OF PAGES INDICATED ABOVE, PLEASE CALL
Martin A. Mattes @ 415.398.3600

ATTENTION: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return this original message to us at the above address via the U.S. Postal Service. Thank you.



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Refer To File #: 400520-0001

June 5, 2010

Monisha Gangopadhyay
California Public Utilities Commission
c/o Dudek
805 Third Street
Encinitas, CA 92024

Re: Comments of Enerland, LLC on Initial Study/Minimum Negative Declaration
for CPCN Application 09-08-008; State Clearinghouse No. 2010042067

Dear Ms. Gangopadhyay

Enerland, LLC ("Enerland") hereby respectfully submits its comments on the draft Initial Study/Minimum Negative Declaration ("IS/MND") prepared pursuant to the California Environmental Quality Act ("CEQA") for consideration of potential environmental impacts of the natural gas storage and transmission project proposed by Central Valley Gas Storage, LLC ("CVGS") for construction in Colusa County, as proposed in CVGS's Application ("A.") 09-08-008 to the California Public Utilities Commission ("CPUC") for a certificate of public convenience and necessity ("CPCN") authorizing the construction and operation of that project.

A. Enerland Has a Direct Interest in the CVGS Project.

Enerland is directly interested in the proposed CVGS project because Enerland holds leasehold interests in real property underlying and adjacent to portions of the CVGS project, especially in the vicinity of the point at which the CVGS project would be interconnected with the Pacific Gas and Electric Company ("PG&E") natural gas transmission system. A series of recent catastrophic accidents involving natural gas cause Enerland to be greatly concerned about the risks to human lives and property that are presented by the CVGS project.

B. The IS/MND Presents a Very Routine Analysis of Safety Risks.

The IS/MND presents a very routine analysis of safety risks presented by the CVGS project. Such risks are addressed in Section 5.8 under the heading, "Hazards and Hazardous Materials," and in Appendix D, on "System Safety and Risk of Upset." This analysis fails to recognize or evaluate the extraordinary risk presented by the intention of CVGS to interconnect its project with a major gas transmission pipeline in the immediate vicinity of a 660 MW gas-fired electric generating plant that is still under construction.

E2-1

248530_1

Reponses to Comments

Monieha Gangopadhyay
June 5, 2010
Page 2

Section 5.8 of the IS/MND begins with a checklist of considerations drawn from the CEQA Guidelines that are standard for environmental impact assessments, the first two of which relate to Enerland's area of concern:

- a) Would the project: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Would the project: Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

To both of these questions, the IS/MND provides the checklist response: "Less Than Significant with Mitigation Incorporated." *Id.* at 5.8-1. Enerland emphatically disagrees.

The narrative portion of IS/MND section 5.8 recognizes that natural gas (which is the substance to be stored and transported through the proposed CVGS system, consists almost entirely of methane, and that "methane is highly flammable and may form explosive mixtures with air at sufficient concentrations." *Id.* at 5.8-5. The IS/MND notes that natural gas "does ignite where an ignition source is present and can be explosive when allowed to accumulate in confined spaces at sufficient concentrations" – and "could come from leaks at the compressor station, wellheads sites, connecting pipelines, or could migrate from underground formations." *Id.* at 5.8-5 to -6.

After a boiler-plate recitation describing more or less relevant safety agencies and statutory/regulatory requirements, the IS/MND proceeds to address the two safety impact considerations referenced above beginning at page 5.8-16. With respect to "Impact a)," which concerns "the routine transport, use, or disposal of hazardous materials," the IS/MND discusses various hazardous substances that may be used during project construction and operations and describes mitigation measures to address several of those hazards, but fails to address the hazards presented by the natural gas that will be transported through the proposed CVGS system. See, *id.* at 5.8-16 to -19. Natural gas is discussed in the context of "Impact b)," regarding "reasonably foreseeable upset and accident conditions involving the release of hazardous materials," but mainly in the context of well operations. See, *id.* at 5.8-21 to -24.

The discussion of safety risks associated with possible release of gas from pipelines and other facilities takes up less than two pages of the IS/MND. A database of natural gas transmission pipeline releases over a seven-year period ending in 2008 was "analyzed," with a list of causative factors provided. *Id.* at 5.8-25. The risk of an explosion due to "overpressure" within the compressor station is recognized, but impacts to the public are considered "less than significant since the nearest residence is 1,250 feet away. *Id.* In a single-paragraph discussion, the IS/MND also recognizes the risk of pipeline rupture causing releases of hazardous materials into the environment but, noting the intention of CVGS to "conduct regular inspections" during construction and to "incorporate modern cathodic protection facilities," concludes that "the individual and societal risks of a pipeline rupture are below commonly used thresholds" and so "the impact is considered less than significant" – without requiring any mitigation measures at all. *Id.* at 5.8-26.

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E2-2

Monisha Gangopadhyay
June 5, 2010
Page 3

The IS/MND bases its low-risk conclusion as to pipeline failure risk on Appendix D, a study of "System Safety and Risk of Upset." This study is premised on the principle that regulations become more stringent as the human population density in the vicinity of a pipeline increases, with the least risky Class 1 location being one in which there are "10 or fewer buildings intended for human occupancy" within 220 yards on either side of the centerline of the pipe. See, Appendix D-6. According to the study, the "proposed pipeline facilities would all be constructed within Class 1 locations." Appendix D-7. As such, the planned facilities would not be within a "high consequence area" for which the federal Pipeline Safety Improvement Act of 2002 requires a project proponent to develop and comply with a written "Pipeline Integrity Management Plan." Appendix D-8 to -10. The remainder of Appendix D provides a voluminous but generalized analysis which, when applied to a project constructed entirely "within Class 1 locations," necessarily concludes that the individual and societal risks presented by the CVGS project are "less than significant." See, Appendix D-65 *et seq.*

E2-2
(Cont.)

C. Neither the Appendix D Study nor the IS/MND Recognizes or Evaluates the Safety Risks Presented by Construction and Interconnection of a Gas Pipeline in the Immediate Vicinity of a 660 MW Electric Generating Plant.

Due to their reliance on the routine classification of the CVGS pipeline as being constructed in a "Class 1 location," distant from more than ten "buildings intended for human occupancy, the Appendix D study and the IS/MND as a whole treat the risks associated with natural gas presented by the CVGS project as a routine matter requiring little attention and no mitigation whatsoever. This analysis fails to recognize or evaluate the extraordinary risk presented by the intention of CVGS to interconnect its project with a major gas transmission pipeline in the immediate vicinity of a 660 MW gas-fired electric generating plant that is still under construction, with many dozen workers on site, and that is intended to operate for decades into the future, with a substantial continuing on-site workforce.

E2-3

The metering station and interconnection point planned for the CVGS pipeline with PGandE's Line 400/401A is in the vicinity not only of a 660 MW generating station and a major gas transmission system, but also several major electric transmission lines. It is fair to estimate that the complex of energy facilities within a few hundred yards of the CVGS project's interconnection point constitutes investment of a value approximating one billion dollars (\$1,000,000,000). Yet neither the IS/MND nor its Appendix D study of "System Safety and Risk of Upset" includes any recognition or evaluation of the safety risks associated with construction or operation of the proposed CVGS project in that unique environment.

D. Neither the Appendix D Study nor the IS/MND Considers Recent Catastrophic Events That Have Resulted From Unsafe Construction Activities in the Presence of Natural Gas.

As noted above, the IS/MND relies on an analysis of natural gas transmission pipeline releases over a period ending in 2008. The same is true of the Appendix D study. See, Appendix D-17 to -30. No attention whatsoever is given to recent catastrophic accidents that have resulted from unsafe construction activities in the presence of natural gas.

E2-4

In its Opening Brief in the ongoing CPUC proceeding considering the CVGS project, Enerland described a series of recent catastrophic accidents presented by the construction and

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Monisha Gangopadhyay
June 5, 2010
Page 4

operation of natural gas facilities like the CVGS project. These events included the destruction in February 2010 of the 620 MW gas-fired Klean Energy Systems power plant while under construction in Middletown, Connecticut, killing six construction workers and injuring dozens more when an operation intended to purge natural gas lines caused a disastrous explosion. See, Opening Brief of Enerland, LLC, in A.09-08-008, filed April 9, 2010, at 4-5 and Exhibit 1. Other recent natural gas disasters causing deaths, injuries, and major property damage, also noted in Enerland's Opening Brief, were a June 2009 gas explosion and fire at a ConAgra Foods plant in North Carolina and a November 2009 rupture and explosion of an El Paso Natural Gas pipeline in Texas. *Id.* at 5 and Exhibits 2 and 3. Most recently, an underwater natural gas explosion resulting from undersea oil drilling sank the Deepwater Horizon oil rig in the Gulf of Mexico, killing dozens of workers and causing a still-ongoing flow of millions of barrels of crude oil into the Gulf and eventually onto surrounding shorelines.

E2-4
(Cont.)

The IS/MND considers none of these recent catastrophic events. Their seriousness and the direct, causal linkage of each of them to industrial work conducted in the presence of natural gas warrants, at the very least, taking a second, better focused look at the "System Safety and Risk of Upset" associated with the proposed CVGS project. The CPUC should require that this be done and should identify serious, effective mitigation measures that will limit the risk of catastrophic harm.

E. The IS/MND is Inadequate and Must Be Revised.

For the reasons stated above, the IS/MND is inadequate to meet the requirements of CEQA. It must be revised to provide a more specific and timely analysis of risks of catastrophic accidents in the specific environment in which the CVGS project is proposed for construction – and environment that, while including few residential structures, includes massive investments in energy facilities, including a 660 MW power plant. The CPUC should not certify the present IS/MND as sufficient to meet the requirements of CEQA and the needs of the State of California.

E2-5

Respectfully submitted,



Martin A. Mattes
of Nossaman LLP

Attorneys for ENERLAND, LLC

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Response to Comment Letter E2

Nossaman LLP on Behalf of Enerland LLC

Martin A. Mattess

June 7, 2010

E2-1 The Draft Initial Study/Mitigated Negative Declaration (IS/MND) contains a thorough analysis of all of the risks associated with all aspects of the Central Valley Gas Storage Project (project). The commenter has not provided any evidence that these risks are “extraordinary.”

E2-2 The risk analysis does evaluate all of the risks associated with the connection to Pacific Gas and Electric (PG&E) line 400/401. The project system can be isolated from PG&E Line 400/401 at the metering station. The isolation consists of a block valve, which can be automatically and/or remotely actuated in the event of an emergency or abnormal condition. In addition, PG&E Line 400/401 is protected from being potentially over-pressured by the project system by a pressure control valve, which is also installed at the metering station. These protection measures are typical of connections to major natural gas transmission lines throughout the industry.

PG&E Line 400/401 and similar natural gas transmission pipelines, as well as the unintentional releases from them, are included in the U.S. Department of Transportation (USDOT) gas transmission pipeline database. This data was used to develop the anticipated frequency and consequences of unintentional releases from the proposed project system in the Draft IS/MND. (This data is presented in the risk analysis included in Appendix D, System Safety and Risk of Upset.) Further, releases from the proposed 24-inch natural gas transmission line were modeled using CANARY, release 4.3 software. The release models considered the natural gas that could flow from PG&E Line 400/401 into the proposed 24-inch transmission line until the isolation valve would be closed. As a result, the risks posed by the proposed 24-inch natural gas pipeline, which would be connected to major gas transmission lines (PG&E Line 400/401), have been evaluated in the Draft IS/MND.

Natural gas-fired electric generating plants require relatively large volumes of natural gas in order to operate. As a result, these plants are connected to relatively large natural gas transmission pipelines. These pipelines, as well as the unintentional releases from them, are included in the USDOT database, which was used to develop the anticipated frequency and consequences of unintentional releases from the proposed project system. As discussed in Appendix D, these risks are not extraordinary; they are extremely low. The commenter has not provide any evidence that the risks would be “extraordinary.”

The risks associated with connecting a high-pressure natural gas transmission line to a natural gas-fired electric generating plant have also been considered by the California Energy Commission (CEC) for numerous power-generating plant sites throughout the state. The CEC has found at numerous locations that the construction of these facilities in proximity to high-pressure natural gas transmission pipelines did not pose an unreasonably high risk to the public. Specifically, the Colusa Generating Station cited by the commenter was evaluated in the *Final Staff Assessment, Colusa Generating Station, Application for Certification (06-AFC-9) Colusa County*, prepared by the CEC in 2007. The project, which included interconnecting natural gas pipelines, was determined not to pose any unreasonable public safety hazard or adverse environmental impacts and was approved by the CEC on April 23, 2008 (CEC 2008).

The Draft IS/MND analyzes the potential safety risks associated with transporting natural gas through all of the project components (e.g., 24-inch transmission line, compressor station, metering station, dual 16-inch transmission lines, and remote well pad). The risk analysis results are summarized in Section 5.8, Hazards and Hazardous Materials, of the Draft IS/MND. The detailed analysis is presented in Appendix D.

Specifically, the anticipated frequency of USDOT reportable releases from the proposed pipeline system was developed by analyzing the USDOT gas transmission pipeline releases from January 2002 through December 2008. These data were then used to develop the distribution of various leak sizes and the anticipated conditional probabilities of fires and explosions. Finally, the releases were modeled using CANARY, version 4.3 software, at various release angles. The results indicated that the individual and societal risks were less than the established risk thresholds. A sensitivity analysis was then performed to evaluate the potential impact on the results should atmospheric conditions (e.g., atmospheric stability or wind speed) differ from the values assumed in the analysis.

The checked boxes at the beginning of Section 5.8 of the Draft IS/MND indicate that the public risks posed by potential impacts resulting from a foreseeable release are less than the established risk thresholds. Since the level of risk was less than significant, mitigation measures to further reduce the risk were not required.

The individual risk assessment presented in Appendix D provides the likelihood of an individual being fatally injured by an unintentional release as a function of the person's distance from the release. The analysis assumes that the individual would be present at a given location continuously—24 hours per day, 365 days per year. This risk is not a function of population density or area class. The individual risk analysis and conclusions are not based on the assumption that the project is constructed

entirely within Class 1 locations, as stated by the commenter. The individual risk results are independent of population density.

The societal risk assessment presented in Appendix D provides the societal risks associated with the project. These are the probabilities that a given number of people could be fatally injured by an unintentional release. This analysis considers the actual population density along the project corridor and the distance of various populations from the proposed facilities. The societal risk assessment and conclusions are not based on a generalized analysis, assuming that the project is constructed entirely within Class 1 locations, as stated by the commenter.

E2-3 As noted above, natural gas-fired electric generating plants require relatively large volumes of natural gas in order to operate. As a result, these plants are connected to relatively large natural gas transmission pipelines. These transmission pipelines, as well as the unintentional releases from them, are included in the USDOT database that was used to develop the anticipated frequency and consequences of unintentional releases from the proposed project system. As a result, these risks are not extraordinary, and they have been considered and are included in the analysis presented in Appendix D.

Also, as noted above, the risks associated with connecting a high-pressure natural gas transmission line to a natural gas-fired electric generating plant has been considered by the CEC at numerous sites throughout the state. The CEC has found at numerous locations that the construction of these facilities in proximity to high-pressure natural gas transmission pipelines did not pose an unreasonably high risk to the public. Specifically, the Colusa Generating Station cited by the commenter was evaluated in the *Final Staff Assessment, Colusa Generating Station, Application for Certification (06-AFC-9), Colusa County*, prepared by the CEC in 2007. The project was determined not to pose any unreasonable public safety or adverse environmental impacts and was approved by the CEC on April 23, 2008 (*Final Commission Decision, Colusa Generating Station, Application for Certification (06-AFC-9), Colusa County*).

The risk assessment presented in Appendix D does consider the risk to construction and operational personnel at the Colusa Generating Station. Specifically, the individual risk assessment presented in Appendix D provides the likelihood of an individual being fatally injured by an unintentional release as a function of his or her distance from the pipeline. The analysis assumes that the individual would be present continuously—24 hours per day, 365 days per year. For the 24-inch diameter transmission line in the vicinity of the Colusa Generating Station, potentially fatal impacts were found to extend up to 600 feet on either side of the pipeline. However,

Reponses to Comments

the maximum annual likelihood of a fatality for an individual standing directly over the pipeline, 24 hours per day, 365 days per year, was determined to be 1 in 2.3 million. This value is less than half of the generally accepted individual risk threshold of 1 in 1 million. This analysis provides the necessary evidence to support the conclusion that this is a less-than-significant impact.

E2-4 The commenter states that the Draft IS/MND does not consider the following recent catastrophic accidents:

- Kleen Energy Systems Power Plant, February 2010 – This incident occurred at a combined cycle gas- and oil-fired power plant, which is a completely different type of project than a gas storage project. Since the USDOT does not regulate power plants, this incident is not included in the USDOT gas transmission pipeline database; however, numerous construction incidents have occurred on natural gas transmission pipelines that are more comparable to the proposed project. These incidents are included in the USDOT database that was used to prepare the Draft IS/MND. As a result, incidents similar to the Kleen Energy Systems Power Plant incident were considered in the Draft IS/MND, to the extent that they relate to natural gas transmission and compression facilities. It should also be noted that the Kleen Energy Systems incident did not result in any fatalities to members of the general public.
- ConAgra Foods Plant, North Carolina, June 2009 – This incident occurred at a food-processing plant. It was likely caused by an accidental venting of natural gas inside the building during the installation of a water heater. Four workers were killed as a result of the indoor explosion and fire, after the natural gas inside the building was ignited. Since the USDOT does not regulate food-processing facilities, this incident is not included in the USDOT gas transmission pipeline database; as a result, this specific incident was not considered in the Draft IS/MND. Additionally, a food-processing facility is not the same type of facility as a gas storage project. The only common factor is that the incident was related to natural gas. To help prevent these types of incidents on natural gas transmission, compression, and storage facilities, there are a number of applicable laws, ordinances, regulations, and standards (LORS). These LORS prohibit ignition devices within specified distances from possible natural gas sources (e.g., flanges, compressors, and valves) and require numerous safeguards that were not applicable to the ConAgra Foods Plant. Many of these LORS are outlined in Section 2.0 of Appendix D. For example, a compressor building must be equipped with gas-detection and alarm equipment; electrical wiring must conform to the National Electric Code and National Fire Protection Code; an emergency shutdown system must be installed; vent and pressure relief lines must be routed

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to a location where the gas can be discharged without hazard; and ventilation must be provided to ensure that employees are not endangered by the accumulation of gas in rooms or other areas. It should also be noted that the ConAgra incident did not result in any general public fatalities.

- El Paso Natural Gas, Carlsbad, New Mexico, August 2000 – This incident resulted in 12 fatalities and is included in the USDOT gas transmission pipeline database; however, it occurred before the period evaluated in the Draft IS/MND risk assessment (January 2002 through December 2008). The period prior to January 2002 was not analyzed in the risk assessment because these leak records do not include reporting fields for fires or explosions. As a result, they could not be used to determine the conditional probabilities of ignition. During the 7-year period considered in the Draft IS/MND, the USDOT database included seven incidents that resulted in fatalities. Further, the Draft IS/MND included modeling of a full bore pipeline rupture and subsequent ignition, similar to the El Paso incident. As a result, the likelihood and consequences of a full bore pipeline rupture are presented in the Draft IS/MND.
- Deepwater Horizon, Gulf of Mexico, April 2010 – This incident occurred during the drilling of a deep-water exploration well in the Gulf of Mexico. The proposed project facilities do not include any deep-water drilling. Also, this incident occurred after the Draft IS/MND was prepared. As a result, this incident was not included in the Draft IS/MND.
- In summary, Appendix D considered the likelihood and consequences of a complete rupture of each of the project components, while operating at the maximum allowable operating pressure, at typical flow rates. The release modeling considered five different release angles: 15° above the horizon downwind, 45° above the horizon downwind, vertical, 45° above the horizon upwind, and 15° above the horizon upwind. Although these “worst-case” releases do not occur very often, they have been evaluated in the Draft IS/MND. Specifically, 30% of the incidents were conservatively assumed to be a complete, full-diameter pipe severance. Based on USDOT statistics, 17.5% of the releases were assumed to be ignited after release. The results indicated that the likelihood of fatalities was less than established risk thresholds. As a result, mitigation is not required.

E2-5 The commenter has not provided any evidence to indicate that the risks of catastrophic accidents has not been fully evaluated in the Draft IS/MND. As described above, a complete and thorough risk assessment was conducted and is included in Appendix D.

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June 7, 2010

Monisha Gangopadhyay
Project Manager, CEQA Review
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102-3298

RE: Central Valley Gas Storage, LLC (CPCN Application No. 09.08.008);
Comments on Draft Mitigated Negative Declaration

Dear Ms. Gangopadhyay:

Pursuant to your revised schedule for submitting comments on the Draft Mitigated Negative Declaration ("DMND") in the above-referenced proceeding, attached please find comments and clarifications submitted on behalf of the Applicant, Central Valley Gas Storage, LLC ("Central Valley"). Please note, the comments and clarifications, which are relatively minor, are included as redline edits to the DMND. In addition, attached for your convenience are CVGS' Initial and Reply Briefs (previously filed in this docket) that set forth CVGS' position with respect to the alleged safety claims raised by Enerland, LLC.

Please do not hesitate to contact me if you have any questions about this submittal or require any additional information to assist you in completing your review.

Respectfully submitted,

Christopher A. Schindler

Counsel for Central Valley Gas Storage, LLC

Partner
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*Initial Study/Mitigated Negative Declaration
1. Initial Study Environmental Checklist*

1. INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1.1 PROJECT TITLE

Central Valley Gas Storage Project

1.2 LEAD AGENCY NAME AND ADDRESS

California Public Utilities Commission (CPUC)
Energy Division
505 Van Ness Avenue
San Francisco, CA 94102

1.3 CONTACT PERSON AND PHONE NUMBER

Monisha Gangopadhyay, CPUC Project Manager
Energy Division
(415) 703-5595

1.4 PROJECT LOCATION

See Section 4.3 for a description of the project's location. Figure 4-1 shows the project's regional location, and Figure 4-2 shows the location of the individual project components.

1.5 PROJECT SPONSOR'S NAME AND ADDRESS

Central Valley Gas Storage, LLC
3333 Warrenville Road, Suite 300
Lisle, Illinois 60532

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1.6 GENERAL PLAN DESIGNATION

The proposed project is located within Colusa County, a predominantly agricultural county within the upper Sacramento Valley of northern California. Project components would be located in a rural area on land primarily designated by the Colusa County General Plan as Agriculture General (A-G). In addition, land associated with the community of Delevan by the I-5 corridor is designated as Rural Service Center (RSC). A short segment of the pipeline would cross under I-5 near the northern boundary of the RSC designation (Colusa County 1989).

1.7 ZONING

According to the Colusa County Code (Colusa County Code Appendix I, Article 3, Section 301) zoning designations of the areas adjacent to the components of the proposed project include the following:

- Exclusive Agriculture (E-A): The majority of the proposed project would be located on land zoned E-A.
- Floodway (F-W): Within the project area this zone is associated with the Sacramento River, Colusa Drainage Canal, and the Glenn-Colusa Canal.

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Initial Study/Mitigated Negative Declaration
1. Initial Study Environmental Checklist

Table 1-1 (Continued) - Required Permits or Approvals	
Agency	Required Permit or Approval
Local Agencies	
Colusa County Air Pollution Control District (CCAPCD)	Authority to Construct/Permit to Operate
Colusa County Environmental Health Department	Water well permit for the compressor station.
Colusa County Planning and Building Department	Building permits for compressor station and metering station Variance for continuous drilling operations for new well heads Approvals for release of Williamson Act Lands (if there are any).
Colusa County Public Works Department	Grading permit for all project components Encroachment and transportation permits may be required for construction within public right of way and for hauling any loads that exceed legal limits Provide copy of erosion sediment control plan Approval of traffic control plan
Glenn-Colusa Irrigation District	Conduit crossing/encroachment permit to install the gas pipeline under the Glenn-Colusa Canal.
Other	
Pacific Gas & Electric (PG&E)	Pipeline capacity lease CVGS to provide list of agreements – Permits needed from PG&E to (1) design and operate metering station, the tap connection into its Line 400401, for the installation of the below-grade piping between the meter site and PG&E Line 400401, (2) the temporary connection with Line 172, and (3) the tie-in to the 12-kilovolt (kV) line.
Union Pacific Railroad (UPRR)	Crossing permit to install the gas pipeline under the railroad tracks.
County of Colusa residents and businesses	Storage right leases for use of the storage reservoir from landowners located above the storage reservoir.

- ~~Deleted: Non-residential development permit to construct a structure (compressor station) in an area determined to be a special flood hazard (Zone A1)~~
Approval
- ~~Deleted: Approval of construction and operation safety and emergency response plan.~~
- ~~Deleted: Colusa County Planning and Building Department~~
- ~~Deleted: Building permits for compressor station and metering station~~
Variance for continuous drilling operations for new well heads
Approvals for release of Williamson Act Lands (if there are any).
- ~~Deleted: for residences and businesses~~

E3-2

Initial Study/Mitigated Negative Declaration
4. Expanded Description of the Project

for protected species, ~~or~~ be maintained as natural wetland. The remote well pad site, approximately 1,800 feet south of the compressor station site on McAusland Road south of Southam Road, would have controlled access off of McAusland Road via a project driveway (Figure 4-2). The preliminary site plan for the remote well pad is shown in Figure 4-6. ~~[We now have a second access road to the wellpad. Should we supply a new well pad diagram?]~~

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Injection/Withdrawal Wells and Well Pads

The project proposes up to ten injection/withdrawal (I/W) wells on the 3.1-acre remote well pad site. The well heads would be at least 220 feet away from the buffer fence. The well pad site would also include a 130,000 -gallon saltwater/surge tank, which would collect excess saltwater produced during gas storage withdrawal. The well pad site would include a 20 by 20-foot auxiliary building ~~(these dimensions have changed, if needed new dimensions can be provided)~~, which would be approximately 13 feet tall. The auxiliary building would contain electrical and telemetry equipment. The site would be enclosed by a 7-foot-tall chain-link fence. Access to the site would be provided from McAusland Road. One light fixture would be installed at the remote well pad site. The fixture would be a 400-watt high-pressure sodium light on a 30-foot pole adjacent to the auxiliary building. This light will only be used during operation and maintenance activities on an as-needed basis by the operator.

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E3-3

Each I/W well would feature a block valve on the flow line that extends from the wellhead. When the block valve is in the closed position, well pad facilities would be isolated from the gas gathering line. Each well would be equipped with a gas/water separator that would remove the saltwater that is produced with the gas during storage withdrawal. Also, each well would have dedicated metering and instrumentation that would transmit the data in real time to a panel in the central control room located at the compressor station auxiliary building where gas flows and pressures would be monitored by the operator.

The wells at the remote well pad site would be drilled to store and extract gas from several different sand layers. As proposed, two to three of the wells would be drilled into the lower Massive Sand and the remaining seven wells would be drilled into the Upper Sands. Figure 4-7 depicts a typical well-bore completion diagram. Due to different reservoir characteristics, the wells located in the Massive Sand would be operated separately from the wells located in the Upper Sand. In addition, since the Massive and Upper Sand are hydrologically isolated, the reservoir pressures of the layers may differ at any given time depending on the gas inventory in each. To achieve the separation, a dual gas gathering system would be constructed and the compressor units and flow control facilities would be configured to allow dedicated operations to the Massive and Upper Sands as required.

4.4.2.3 Observation Well Conversions

Existing wells proposed for conversion to observation wells are located above the Princeton Natural Gas Storage Area. Observation wells are used to monitor the location and pressure of the gas in the storage formation. The three existing wells and one plugged and abandoned well considered for conversion, as well as one new well, are located to the east of the remote well pad site and are shown on Figure 4-2. These wells and associated access roads are located in cultivated agricultural fields.

into Line 172. The project applicant anticipates operating in this configuration for approximately 13 months prior to the completion of the main 24-inch pipeline.

The temporary connection to PG&E Line 172 would consist of an approximate 170-foot, temporary 8-inch gas pipeline to connect the well pad site to the nearby PG&E Line 172 distribution line located on the east side of McAusland Road. The location of the proposed PG&E Line 172 connection line is shown on Figure 4-6. The connector pipeline would be located inside the remote well pad site and within the buffer area. In addition, a temporary meter skid and rental compressor package would be installed on the northern portion of the 3.1-acre remote well pad site. Central Valley would be required to obtain a permit of operation from the CCAPCD for the operation of the rental compressor unit. Central Valley proposes to also install noise abatement features for this compressor unit to meet applicable Colusa County noise standards.

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4.4.3.3 Interconnection to PG&E Line 400/401

A 24-inch diameter, 14.7-mile long bidirectional gas pipeline would be constructed to connect the proposed compressor station and metering station, plus a 580-foot interconnect from the edge of the metering station to the PG&E Line 400/401 located several hundred feet south of PG&E's Delevan Compressor Station (Figure 4-2). The proposed pipeline would primarily traverse agricultural lands between the proposed compressor station and metering station and non-native grassland between the metering station and interconnection with PG&E Line 400/401. A 30-foot-wide permanent pipeline easement encompassing approximately 55 acres would be required (the permanent easement would be 50 feet by the 24-inch connecting pipeline and the 16-inch gas gathering line between compressor station and remote well pad site). The permanent pipeline easement would be required to ensure that maintenance activities are provided adequate space to inspect and work on the pipeline and to ensure that people and or structures are located a safe distance from the pipeline. The proposed pipeline alignment, including auger bore and horizontal directional drilling (HDD) locations, is shown in the project alignment sheets provided in Appendix A.

Central Valley's engineering consultant would prepare an HDD and bore plan that contains detailed drawings and a frac-out contingency plan. A frac-out is when drilling mud reaches the earth's surface through cracks in bedrock or highly permeable soil horizons in the substrate's profile and is often visible as a plume in a waterbody or on land in the vicinity of the drill. The contingency plan would focus on minimizing the potential for a frac-out; providing for the timely detection of frac-outs; and ensuring an organized, timely, and "minimum-impact" response in the event of a frac-out and release of drilling mud (bentonite clay) into a waterway. Continuous visual observations of waterways by the project contractor during HDD operations would be required as part of the contingency plan in order to monitor possible frac-out conditions.

Proposed natural gas connecting pipelines would be designed in accordance with 49 CFR 192.5 of U.S. Department of Transportation (USDOT), which establishes criteria for pipeline design based on risks to the surrounding community. Four design classification areas are established by the regulations: Class 1 areas have the lowest risk (e.g., sparsely populated rural areas), Class 2 areas have some areas of risk to populations, and Class 3 and 4 areas are the highest risk areas. The proposed pipeline is located entirely in a Class 1 area and is not within any high consequence areas (HCAs).

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4. Expanded Description of the Project

This is called the "pull back." Drilling portions of HDD activities would be limited to daylight hours. There is the potential for night work during the pull back operations.

Construction crews would access work and staging areas via existing agricultural access roads, which may be improved by minimal grading and graveling to provide adequate access for heavy construction equipment and maintenance vehicles. The location of existing access roads is shown in the project alignment sheets provided in Appendix A.

Before being placed into commercial service, the pipeline would be hydrostatically tested in accordance with 49 CFR Part 192 (USDOT pipeline safety regulations). A hydrostatic test is a way in which leaks can be detected. Approximately 1.7 million gallons of water would be required for hydrostatic testing. Water used during hydrostatic testing would be discharged at one time into an on-site filtering system (hay bales) and then discharged into drainage ditches in surrounding agricultural areas. Non-chemically treated water is used for this test; however, as it passes through the pipeline, it can pick up items such as metal particles, material from the weld, and lubricants/rust inhibitors.

Total peak workforce for construction of the pipeline is anticipated to be 230 workers. Construction of the pipeline would take approximately 3–4 months.

4.6.2 Other Construction Activities

Site Restoration/Cleanup

Once all project components are constructed and the project has connected to PG&E Line 400/401, site cleanup and restoration would commence. Total peak workforce for site cleanup/restoration is anticipated to be 20 workers. Site cleanup/restoration activities would take approximately 2–3 months.

Temporary workspace

In addition to the temporary workspace requirements specified for each major project component discussed above, an additional 12.7 acres of land to establish temporary equipment and material staging areas, as well as workspace for auger bore and HDD activities outside of the 100-foot temporary pipeline construction ROW, would be required. A 10-acre staging area located adjacent to the proposed metering station has been identified as an equipment laydown area as well as a potential location for construction vehicle parking. The remaining 2.7 acres of land would be located along the pipeline alignment. These temporary workspace and auger bore and HDD areas are shown in the project alignment sheets provided in Appendix A.

4.6.3 Overall Construction Schedule

The overall construction schedule anticipated for the proposed project is 24 months (14–16 months for construction and 1 month for connection to PG&E line 400/401, followed by cleanup and restoration). Table 4-2 depicts a *representative* construction schedule (schedule is no longer accurate as shown) and is shown here to demonstrate where the overlap in construction activities may occur for each project component. The actual construction schedule will be developed upon approval of the project by CPUC.

Construction activities associated with project components would generally occur Monday through Saturday between 7:00 a.m. and 7:00 p.m. except for well drilling, which would occur 7 days per week, 24 hours per day.

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E3-5

Reponses to Comments

*Initial Study/Mitigated Negative Declaration
4. Expanded Description of the Project*

Table 4-2: Representative Construction Schedule

Project Activity	Preliminary Date Range
Permit to construct decision adopted and effective (Certificate of Public Convenience and Necessity)	June 2010
Acquisition of required permits	August 2009–May 2010
ROW/property acquisition completed	March 2010
Final engineering/surveying completed	May 2010
Remote well pad preparation, 1/2W wells, and gathering line system	July–September 2010
Observation well conversions	July–September 2010
Construction window for compressor station*	September 2010–October 2011
Connection pipe and meter into PG&E Line 172 (including rental compressor)	August–September 2010
Begin to receive gas from PG&E Line 172	September 2010
Preparation of 24-inch gas pipeline ROW	March–April 2011
Construction window for 24-inch gas pipeline*	April–October 2011
Construction window for metering station at PG&E*	June–October 2011
Project connected to PG&E Line 400/401	November 2011
Cleanup and restoration	April–June 2012

* It should be noted that 335 workers would be required for the peak construction period when construction of the compressor station, metering station, and 14.7-mile-long pipeline would occur concurrently.
SOURCE: ICF Jones & Stokes 2009

4.6.4 Construction Equipment Requirements

Tables 4-3 through 4-6 identify the equipment that may be used during construction of each major project component. Some of the equipment identified may be used to construct multiple components.

Table 4-3: Estimated Compressor Station and PG&E Line 172 Connection Construction Equipment

Activity	Quantity of Equipment
Overhead crew	1 Office trailer
	1 Tool trailer
	1, 45 kW generator
	4 Pickup trucks
Site clearing	1 Motor grader
	1 Dozer
	1 Track hoe

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*Initial Study/Mitigated Negative Declaration
5.8 Hazards and Hazardous Materials*

prepare and implement a dewatering and discharge plan (Section 4.8.8), impacts would be less than significant.

Operations and Maintenance

Gas Migration

Three potential pathways for natural gas to migrate from the reservoir to the surface have been identified: (1) from defective cementing of annular seals for new wells or previously abandoned wells that were not properly abandoned; (2) through over-pressurizing existing cracks or faults in the cap rock; or (3) through formation of new fractures in the cap rock from the proposed gas injection and repeated cycling of gas pressure associated with gas storage procedures. Each of these pathways is discussed in turn, followed by a conclusion whether the risk of gas migration from the repressurized reservoir to the surface would be significant.

Potential Gas Migration Through Wells

Plugged and abandoned wells located within the Princeton Gas Field are assumed to have been sealed into the cap rock and plugged per DOGGR requirements. DOGGR will require that the applicant reevaluate all abandoned wells and provide remedial measures to assure the wells have been properly plugged. On initial review, DOGGR has determined that well S-4 will require remedial work to rectify casing integrity. The work required by DOGGR includes location and evaluation of wells within a radius of ¼ mile of the gas storage area (DOGGR Area of Review). Central Valley is proposing to convert four older wells (three currently open wells and one plugged and abandoned well) into observation wells. Prior to their use as observation wells, these wells would be re-entered in order to inspect casings and wellheads. If necessary, remedial work would be performed to upgrade the well for gas storage use. This work may involve pressure testing, relining the well with new casing, installing new wellheads, and cement work. If any well fails integrity testing and cannot be repaired to DOGGR standards, the well would be plugged and abandoned in accordance with DOGGR regulations. Two existing plugged and abandoned wells (S-1 and Z-1) would remain plugged and abandoned during project operations. As part of routine operations, Central Valley would conduct regular inspections of the well to ensure no gas leaks occur. If a leak is detected, the well would be re-entered and remedial work would be performed to ensure that leakage does not continue. Implementation of Mitigation Measure HAZ-6, which requires Central Valley to prepare and implement a gas monitoring plan that includes periodic monitoring of existing wells located above the natural gas storage reservoir, would reduce potential impacts to less than significant levels.

If not properly designed and constructed, new injection/withdrawal wells at the remote well pad site could have the potential for gas migration during operation. To ensure proper design and construction of wells, Central Valley (as part of its application to operate a gas storage field) would prepare and submit detailed drilling plans and procedures to DOGGR for approval. In general, the cemented casing would isolate the storage zone from higher strata and protect freshwater aquifers in accordance with DOGGR requirements. The proposed casings would effectively block any migration of gas through the wells to zones above or below the zone(s) of intent into aquifers or to the surface.

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E3-6

Response to Comment Letter E3

**Hogan Lovells on Behalf of Central Valley Gas Storage LLC
Christopher A. Schindler
June 7, 2010**

E3-1 The address has been revised as requested by the commenter.

E3-2 As a result of this comment, Dudek contacted the Colusa County Planning and Building Department as well as the Colusa County Public Works Department to verify what permits will be required for the project. Dudek also reviewed all of the other permit requirements in the table. On page 1-3, the reference to the permit requirements from the Department of Transportation will be deleted. Additionally, Table 1-1 on page 1-4 will be revised as follows:

Table 1-1 (Continued) : Required Permits or Approvals	
Agency	Required Permit or Approval
Colusa County Planning and Building Department	Building permits for compressor station and metering station Variance for continuous drilling operations for new well heads <u>Conditional Use Permit</u> <u>Major Use Permit Approvals for release of Williamson Act Lands (if there are any)</u>
Colusa County Public Works Department	Grading permit for all project components Encroachment and transportation permits may be required for construction within public right of way and for hauling any loads that exceed legal limits Non-residential development permit to construct a structure (compressor station) in an area determined to be a special flood hazard (Zone-A) <u>Approval of erosion sediment control plan</u> <u>Submit for review and approval an SWPPP</u> Approval of traffic control plan Approval of construction and operation safety and emergency response plan
<u>Colusa County Office of Emergency Services</u>	<u>Submittal of construction and operation safety and emergency response plan to County of Colusa Office of Emergency Services.</u>
<u>Colusa County Planning and Building Department</u>	<u>Building permits for compressor station and metering station</u> <u>Variance for continuous drilling operations for new well heads</u> <u>Approvals for release of Williamson Act Lands (if there are any)</u>
Glenn-Colusa Irrigation District	Conduit crossing/encroachment permit to install the gas pipeline under the Glenn-Colusa Canal.

E3-3 Dudek requested a new well pad diagram that depicts the second access road to the well pad. The project description has been revised to include the second access road.

Reponses to Comments

Figure 4-6 of the Draft Initial Study/Mitigated Negative Declaration (IS/MND) showed the auxiliary building on the well pad site as 20 by 20 feet. This diagram was later revised to show a 10-by-40-foot building. The Final MND will include the revised figure, and the text on page 4-16, first full paragraph, fourth sentence will be revised to state the following:

The well pad site would include a ~~20-by-20~~ 10-by-40-foot auxiliary building, which would be approximately 13 feet tall. It should be noted that the applicant may reduce the size of this building when the detailed design plans are completed.

E3-4 The text on page 4-23, first complete paragraph, fourth sentence, will be revised to state “northern” instead of “southern.”

E3-5 Table 4-2 on page 4-30 will be revised as shown below:

Project Activity	Preliminary Date Range
<u>Remote well pad site preparation and construction</u>	<u>October–January 2011</u>
<u>Remote well pad well drilling and Zumwalt observation well drilling</u>	<u>November–January 2011</u>
<u>PG&E Line 172 connection pipeline construction</u>	<u>November 2010–December 2010</u>
<u>Compressor station site preparation</u>	<u>October 2010–January 2011</u>
<u>Begin to receive gas from PG&E Line 172</u>	<u>December 2010</u>
<u>Gas pipeline ROW preparation</u>	<u>March–April 2011</u>
<u>Observation well conversions (including access roads)</u>	<u>October–December 2010</u>
<u>Gas pipeline system construction</u>	<u>April–September 2011</u>
<u>Metering station construction (including access road)</u>	<u>May–October 2011</u>
<u>Compressor station mechanical construction</u>	<u>November 2010–October 2011</u>
<u>Saltwater disposal well and 800-foot-long pipeline to remote well pad</u>	<u>July–September 2011</u>
<u>Cleanup and restoration</u>	<u>August 2011–December 2012</u>
<u>Project connected to PG&E Line 400/401</u>	<u>November 2011</u>

E3-6 The text of the second complete paragraph on page 5.8-21 will be revised as requested by the commenter.



June 7, 2010

Via U.S. Mail; Facsimile (415) 703-2200 & 800-371-8962; and Electronic Mail cvgs@dudek.com; monisha.gangopadhyay@cpuc.ca.gov

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Ms. Monisha Gangopadhyay
California Public Utilities Commission
c/o Dudek
605 Third St.
Encinitas, CA 92024

**RE: CENTRAL VALLEY GAS STORAGE PROJECT
MITIGATED NEGATIVE DECLARATION**

Dear Ms. Gangopadhyay:

I am Ronda Azevedo Lucas, an attorney with Lucas Law. I was recently retained by the Princeton Fire and Protection District ("PFPD") to represent them in the review process for the Central Valley Gas Storage Project ("Project") to be located near Princeton, California. At present, the Project's analysis of its environmental impacts with respect to the public health and safety of the citizens of Princeton and PFPD is wholly inadequately. As discussed in greater detail below, substantial evidence establishes a "fair argument" that this Project might have significant environmental effects on fire protection and emergency services within PFPD.¹ Therefore, the current mitigated negative declaration is illegal, and an environmental impact report ("EIR") must be prepared.² Moreover, the lack of mitigation with respect to fire protection and emergency services is a direct violation of the California Environmental Quality Act ("CEQA"). Cal. Pub. Res. Code §§ 21000, *et seq.*; Cal. Code Regs., Tit. 14, § 1520.³

E4-1

PFPD supports this Project provided the Project's significant environmental impacts on fire protection are fully analyzed and appropriately mitigated. However, the Project is unlike any entity that has ever come into the community and presents some unique challenges PFPD has never before had to face. Given the Project's anticipated impacts on PFPD and our community, we renew our request for a 90-day extension so

E4-2

¹ Friends of "B" Street v. City of Hayward (1980) 106 Cal. App. 3d 988, 1002.

² Cal. Code Regs., Tit. 14, § 15064(f)(1).

³ PFPD recognizes the State Energy Resources Conservation and Development Commission's ("Commission") proceedings have been certified by the Secretary for Resources as being a CEQA-equivalent project. Cal. Code Regs. Tit. 14, § 15251(j). However, "[a] certified program remains subject to other provision in CEQA such as the policy of avoiding significant adverse effects on the environment where feasible." *Id.* at § 15250.

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that we may more fully comment on the Project with respect to its impacts on public health and safety. Furthermore, we demand further analysis be undertaken and appropriate mitigation be adopted with respect to the Project's impacts on fire protection and emergency services within PFPD consistent with an EIR.

PFPD is a volunteer fire department located in an agricultural-based community. The public release and corresponding comment period associated with this Draft Initial Study and Mitigated Negative Declaration ("Document") unfortunately overlapped with one of the most important and busiest times for virtually everyone within the community -- spring planting. Moreover, this spring's abnormally late rains have made spring planting even more hectic and demanding. As stated at the sole meeting held in Princeton, the full PFPD commission has still not had the opportunity to meet and fully review this document. Despite this situation, PFPD will comment on specific deficiencies in this document in greater detail below, and continues to hope for additional time to conduct a more thorough analysis.

I. The Document's Analysis Of The Project's Impacts On Fire Protection Is Inadequate.

The Document acknowledges, "operation of the project would result in risk of fire and/or explosion, resulting in an **increased demand** for local emergency services, including fire protection."⁴ Then, without any meaningful analysis or explanation, the document concludes, "... existing fire and emergency responders are expected to be adequate to respond."⁵ As a strictly legal matter, the burden is on the agency to support its finding of no significant impact with substantial evidence or run the risk of a court determining a fair argument of significant impact actually exists thus necessitating a full EIR.⁶ Factually, these statements do not account for the very rural setting and seem to completely dismiss the fact that the primary, first-responder responsibilities will fall to PFPD -- a 15-person, completely voluntary fire department. Moreover, the current Insurance Services Organization ("ISO") Public Protection Classifications⁷ of six in town and eight/nine in the rural areas is evidence that PFPD is presently able to properly service the District, but, in the outlying areas, any additional impacts may place significant strain of PFPD's resources. See Exhibit A. Moreover, this is not a simple project. This Project is incomparable to any other business or entity that exists in PFPD. This Project creates unique challenges and difficulties with respect to the demands it places on fire protection and emergency services.

E4-2
(Cont.)

E4-3

⁴ Central Valley Gas Storage Project Draft Initial Study and Mitigated Negative Declaration ("Document"), April 2010 at 5-14.4.

⁵ *Id.* at 5.14-5.

⁶ See, e.g., Gentry v. City of Murrieta (1995) 36 Cal. App. 4th 1359, 1379. (absence of evidence that impacts were not significant supported fair argument of significance); Sundstrom v. County of Mendocino (1988) 202 Cal. App. 3d 296, 311 (arguments about potential significant impacts were not rebutted by evidence in the record).

⁷ The ISO collects information about municipal fire-protection efforts in communities throughout the United States. Water supply, fire-fighting equipment and fire department staffing levels and training are all consider when determining the classification. After analyzing the relevant data, the ISO assigns a Public Protection Classification number from 1 to 10, with 1 representing exemplary fire protection and 10 representing an area whose fire-suppression program does not meet minimum standards.

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Given this ISO rating, PFPD is concerned any additional demands placed on the district which are not properly mitigated immediately will jeopardize it. If the ISO rating drops, lives and the public safety of the District may be placed in jeopardy. Secondly, from a purely economic standpoint, it would mean that because the Project is being constructed without proper mitigation, all of the District's constituents' insurance rates may increase because PFPD is no longer providing minimal protection. CEQA requires a full EIR be conducted in this situation to ensure full public disclosure and a "hard-look" at the significant environmental impacts associated with fire protection and emergency services.

E4-3
(Cont.)

A. Primary Fire Protection Of This Project Rests Solely With PFPD.

The Document's discussion regarding CAL FIRE is unnecessary and may give the false impression CAL FIRE is a responder. However, CAL FIRE has **no jurisdiction** over the Project site. In fact, the Document acknowledges "local fire departments and fire protection districts would provide fire suppression services to the project area. . . ."⁸ Thus, the primary responsibility for protecting: 1) a Project designed to inject between 9 - 11 billion cubic feet of natural gas underground; 2) a 10 acre site consisting of a three-story compression station and associated facilities; 3) a 3.1 acre site that includes a remote well pad with 10 injection/withdrawal wells; 4) nearly 350 Project employees; 5) the local school and town, which is approximately 1 mile from the facilities; and 6) the approximately 350 citizens currently residing within PFPD will fall to a **15 member, all volunteer** fire department. On its face, the assertion that this situation poses no significant impact to the environment and requires no mitigation defies logic and appears to be arbitrary and capricious.

E4-4

The reality is the Project involves a complex industrial series of processes that, even if built and operated with the best engineered safety practices, can create potentially catastrophic damage in the event accidents occur to employees or the Project's facilities. This highly complex Project will be located in a **very rural** area that is primarily serviced by an all-volunteer fire department. The nearest career-staffed urban or suburban fire department would be more than an hour away if a catastrophic event should occur, being located in Roseville, Sacramento and/or the Chico area. Moreover, the anticipated response time of PFPD is 10 - 15 minutes rather than the 8 - 10 minutes stated in the Document. Importantly, the response time for any other local responding fire districts will be greater than the response time of PFPD. Further, at present there are only three fire districts within the entire County of Colusa that have some paid full-time firefighting staff.

B. The Baseline Environment For This Project Is A Very Rural Setting Presently Ill-Equipped For The Project's Impacts On Fire Protection And Emergency Services.

The baseline environment that exists for the Project area is the same as PFPD's jurisdiction. PFPD is a small, rural area fire department servicing the needs of a small, rural, agricultural-based community. As stated *infra*, the population within PFPD is approximately

E4-5

⁸ Document at 5.8-5.

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350 people, and there are approximately 200 housing units.⁹ Thus, PFPD protects homes and small businesses from catastrophic fire losses and stops the spread of fire to adjoining buildings. Additionally, PFPD has taken on emergency medical responses based on the local need and frequency of events. As presently configured, PFPD does not have the need, budget or personnel to field complex multi-person teams to serious events such as hazardous materials spills, technical rescues, large building fires, and gas explosions. The CEQA Guidelines provide the baseline will "normally" be the physical conditions existing at the time environmental analysis is commenced.¹⁰ This Project will significantly impact this baseline and must adequately analyze its impacts with respect to fire protection and emergency services and then mitigate those impacts to less than significant.

E4-5
(Cont.)

C. The Project Is Unlike Any Other In PFPD And Will Require New Training And Equipment.

The following table lists commonly encountered emergency capabilities of most urban structure fire departments in the first column. The second column evaluates PFPD's current capabilities to deal with these various levels of emergencies. The third column describes what the current regional (Colusa County) capabilities are. It is important to remember that, given this very rural setting, outside assistance, where noted in the table, will come from other counties and more distant major fire departments whose response times will be at least one hour. The fourth column is a list of potential needs for these services at the Project. Given the limited time in which to assess the Project and the limited analysis contained within the Document, the fourth column is a preliminary estimate. The fifth column describes, in very general terms, what is needed for PFPD to attain the needed level of service to provide minimal levels of fire protection and emergency services to the Project.

E4-6

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⁹ U.S. Geological Survey Geographic Names Information System accessed at http://geonames.usgs.gov/pls/gnispublic/f?p=gnispq:3:3336309474598745::NO::P3_FID:1659436. Princeton, California is designated by the U.S. Census Bureau as Class Code 6C, which is defined as "a populated place that is not a census designated or incorporated place having an official federally recognized name." *Id.*

¹⁰ Cal. Code Regs., Tit. 14, § 15125 (a). Although the baseline rule contained in the Guidelines specifically applies to EIR preparation, the courts have also held that this rule is appropriate when a lead agency is determining whether a Negative Declaration is necessary. See, Fat v. County of Sacramento (2002) 97 Cal. App. 4th 1270, 1277-81.

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TABLE 1: PFPD Present Capabilities v. Project Needs

TYPE OF INCIDENT	PFPD CURRENT CAPABILITIES	REGIONAL CAPABILITIES	ANTICIPATED PROJECT NEEDS	PFPD NEEDS
Single Patient Medical Emergency	Yes	Yes	Yes	Maintain and improve existing training
Multi-Patient Medical Emergency	Limited with mutual aid ¹¹	Yes	Yes	Emergency Medical Technician ("EMT") & Command Training
Mass Casualty Incident	No	Limited with outside assistance	Limited	EMT & Command Training
Technical Rescue (High/Low Angle)	No	Limited with outside assistance	Yes	First Responder Awareness
Confined Space Rescue	No	Limited with outside assistance	Yes	First Responder Awareness
Level I Hazardous Material Release ¹²	No	No	Yes	First Responder Awareness; Fire Command 2B for Fire Chief
Level II Hazardous Material Release	No	Not without outside assistance	Yes	First Responder Awareness
Level III Hazardous Material Release	No	Not without outside assistance	No	First Responder Awareness

E4-6
(Cont.)

As just one example of the need for additional training, this facility will have hazardous materials on site. Occupational Safety and Health Administration regulations require that the incident commander be qualified as a Hazardous Material Incident Commander for fire department response to hazardous materials releases. This is a qualification not presently found at PFPD. Moreover, responding requires not only training but special hazardous material

¹¹ Colusa County presently has a county-wide mutual aid agreement in place with all fire departments. Response time to the Project site is estimated to take between 30 - 40 minutes.

¹² Hazardous materials incident response on a state highway or county road is the jurisdictional responsibility of the California Highway Patrol. Cal. Veh. Code § 2421.; off highway it is a very confusing legal situation and rests with the property owner, the California Department of Fish and Game, the Office of Emergency Services and local law enforcement. Inside incorporated cities, the city can adopt jurisdiction except on highways under the law enforcement jurisdiction of the CHP.

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response and rescue equipment. This example, in and of itself, is a significant impact on fire protection within PFPD that has not been adequately analyzed and mitigated as required by CEQA.

↑ E4-6
(Cont.)

PFPD needs training and effective supervision to respond to a major event at the Project and provide safe, basic firefighting services and to know how to coordinate with Project and outside regional team responders. It is unrealistic to expect that an all volunteer force can achieve this level of coordination and training. At present, PFPD is trained to First Responder level, with the training hours and content focused on standard fire and medical emergency response. This training needs to continue and will continue. However, as a direct result of the Project's impacts on fire protection and emergency services, PFPD volunteers need to receive training at the **awareness level** in Project systems, Project standard operating procedures, overall hazardous materials, confined space, and technical rescue for command and control of incoming resources. This training, and any additional equipment needs identified as a result of the training, represents the minimum necessary for PFPD to be effective as first responders to the Project. The additional first responder training will require bringing in training staff from agencies that operate technical rescue teams and, preferably, the agencies that would be responding to the Project with a highly trained team. It is these agencies who will want to make sure that PFPD and surrounding mutual aid fire departments are able to assess the situation accurately, relay the needed information to the responding technical emergency response team and adequately secure the area. Presently, the Document contains no discussion regarding the need for this training nor mitigation to ensure this training occurs. These omissions demonstrate why an EIR must be prepared with proper mitigation of the Project's impacts to fire protection and emergency services.¹³

E4-7

Further, the largest problem with a limited pool of volunteers will be providing trained apparatus driver/operators whenever a call comes in. Because PFPD is an all voluntary force, no one knows which volunteer firefighters will respond, or how many volunteer firefighters will respond when a call comes in. The fire engine cannot respond to an emergency scene without two individuals on the apparatus, one of whom needs to be qualified as a driver/operator, which not necessarily all PFPD volunteers are. Ideally, PFPD would receive additional funding as mitigation to increase the number of volunteers certified as California Firefighter I, certified driver/operator for fire apparatus, and certified as a California Fire Officer, which requires a total of nine courses per volunteer in addition to on-going training once these certifications are achieved.

I. Presently, There Are No Three-Story Facilities Within PFPD.

The Project will include a three-story structure at its compression station in addition to other facilities at this site. This structure will be the tallest structure within PFPD. Presently, PFPD does not even have a ladder truck capable of reaching the roof of this structure. Further, during the construction of this structure, should an accident requiring PFPD's response occur, in

E4-8

¹³ Cal. Code Regs., Tit. 14, § 15064(f)(1); Cal. Pub. Res. Code §§ 21000, *et seq.*; 14 Cal Code Reg. § 1520.

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order to meet the National Fire Protection Association's codes and standards, PFPD volunteers will need Ropes Systems I training and the associated necessary equipment to properly respond. The Document is completely silent on this issue. This single fact demonstrates substantial evidence that the analysis and subsequent proposed mitigation measures contained within the Document are inadequate, and the Project, as mitigated will still have a significant environmental impact on fire protection within PFPD.¹⁴

E4-8
(Cont.)

2. PFPD Is Presently Unable To Handle A Serious Confined Space Incident.

The Project includes requirements for numerous underground structures and facilities, including but not limited to a 14.7 mile-long, 24-inch diameter gas pipeline. Thus, the Project will necessarily require activities occurring in confined spaces. In confined space situations, under firefighting standards and code, Project personnel will not enter these spaces without enough trained and equipped plant personnel outside the space to immediately rescue them without a technical fire department response. In the admittedly rare occurrence of a very complex technical rescue exceeding plant personnel and primary fire department first responders, then an advanced technical rescue team would be needed. Such a team is typically only found in a large regional fire agency, *i.e.*, Sacramento Metropolitan Fire District, which can provide the tools, training and emergency incident volume to keep the team well trained. At present, Colusa County has a confined space team which includes two PFPD volunteers as trained and active members. However, because Colusa County is lightly populated, with less than 19,000 persons in total and only three fire districts that maintain some level of paid firefighting staff, there is insufficient career personnel to provide a daily "back bone" of support. At present, there are limited funding sources for technical equipment and a low number of qualified incident command chiefs whose training opportunities are expensive and far away. Secondly, volunteers are subject to higher turnover, missed training classes due to employment and family commitments, and a general lack of actual hands on emergency experience due to a low frequency of severe events that require advanced skill. The Document fails to discuss or analyze the Project's potential impacts with respect to confined space demands that may be place upon Colusa County's Confined Space Team. The burden is on the agency to support its finding of no significant impact with substantial evidence¹⁵, and as presently written, the agency has failed to meet this burden. A proper CEQA analysis requires the preparation of an EIR and mitigation to offset the Project's impacts to Colusa County's Confined Space Team.

E4-9

3. Presently, The Document Lacks Requirements Ensuring The Project Has Sufficient Water Volume And Flow For Firefighting Purposes.

As explained in the Project Description, the Project consists of construction of a compressor station, remote well pad site, observation wells, saltwater disposal well and pipeline, metering station, and miles of underground natural gas connecting pipelines. Moreover, the Project consists of two separate sites, in close proximity to each other, which total more than 13 acres. Unfortunately, because of the remote location, there are no fire hydrants that might

E4-10

¹⁴ *San Bernardino Valley Audubon Society v. Metropolitan Water District* (1999), 71 Cal. App. 4th 382, 390.

¹⁵ See, *e.g.*, *Mejia v. City of Los Angeles* (2005) 130 Cal. App. 4th 322, 342.

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provide an adequate supply and flow of water in the event of a fire. Further, there is no canal or other body of water which PFPD might be able to use for fire suppression purposes. Thus, the only source of water will be PFPD's sole tender, which has a capacity of 1,000 gallons. Both the volume and flow produced by this tender are insufficient to meet the National Firefighters Protection Association standards applicable to the Project. However, the Document is completely silent on this issue. The burden is on the agency to support its finding of no significant impact with substantial evidence or run the risk of a court determining a fair argument of significant impact actually exists thus necessitating a full EIR.¹⁶ As presently written, this burden is not met.

E4-10
(Cont.)

4. The Document Fails To Consider The Potential Increase In Fire Protection And Emergency Service Calls Due To The Influx Of Employees During Construction.

As stated, *infra*, Princeton is a somewhat isolated, sparsely populated rural community. According to the Document, during a potential 4-month peak construction period, the number of individuals PFPD will be responsible for protection will almost double due to the Project's nearly 350 employees. Moreover, the Document acknowledges, the vast majority of these workers will be commuting on a daily basis from multiple locations.¹⁷

While PFPD does not take a position as to the traffic impacts associated the volume of these daily commutes, PFPD believes the Document's complete failure to consider the impacts on fire protection caused by this substantial increase in commuter traffic on predominantly rural, narrow, two-lane roads violates CEQA's requirement that significant environmental impacts be analyzed and mitigated. Other than two roads, State Route 45 and Interstate 5, all of the roads that will be used are very rural. In some instances, the roads are in essence a slightly larger than average single lane, and local individuals are used to pulling over to let oncoming traffic pass. These roads have a very low shoulder, or, more frequently, no shoulder at all. These very narrow roads are often bordered by drainage ditches and are overgrown with vegetation making them appear even narrower. In some instances, the roads are not paved. And, those that are paved are so littered with potholes and patch-jobs, many locals completely avoid them, particularly if it has rained recently. By way of example, the average traffic volume on both Delevan Road and Dodge Road is significantly less than the range of 300 - 500 vehicles per day because the locals know to avoid these roads due to their poor condition. When you combine the condition of these roads with the unfamiliarity of commuters, there will certainly be an increased number of accidents, and corresponding calls for assistance from PFPD. Moreover, rather than the typical vehicle usage -- e.g., a car, sport-utility vehicle, or pick-up truck, these roads will now be carrying fully-load tractor-trailers and heavy equipment. Additional travel over these roads will necessarily occur because Princeton contains no food service establishments capable of feeding this work force during their break and meal periods. This situation alone requires further

E4-11

¹⁶ *Id.* (Lead Agency lack of study of traffic impacts strengthened fair argument of significant impact based on petitioners' personal observations of traffic conditions)

¹⁷ Document at 5.16-7.

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analysis and appropriate mitigation of the Project's impacts on PFPD's fire protection and emergency services capabilities.

The Document acknowledges "demand for fire emergency response would be temporarily increased . . ." ¹⁸ However, with no analysis or explanation, the Document then states, "local and regional emergency response providers are expected to be capable of responding. . . ." As a strictly legal matter, the burden is on the agency to support its finding of no significant impact with substantial evidence or run the risk of a court determining a fair argument of significant impact actually exists thus necessitating a full EIR. ¹⁹ Factually, this assertion fails to consider the very rural area and the make-up of those primary first responders. As stated previously, PFPD is a 100 percent voluntary fire department made up of 15 individuals. Maxwell Fire Protection District employs 3 paid personnel and consists of an additional 30 volunteers. Both PFPD and Maxwell Fire Protection District have an ISO rating of 8/9 for outlying areas. This rating indicates these districts are barely providing the minimal level of protection. Any additional demand may decrease the level of services being provided to less than the minimum standards thereby jeopardizing life, property, and general public health and safety. Therefore, the Project's impacts on fire protection and emergency services as a result of increased commuter traffic must be fully analyzed and properly mitigated.

C. The Document Fails To Consider The Impact Routing Farming Practices May Have On The Underground Pipeline.

In order to reduce the risk of accidental puncture and subsequent fire and/or explosion, the underground pipeline should be buried deeper than five feet. The pipeline will be placed under agricultural fields that are under yearly cultivation. Frequently, farmers must use backhoes for a multitude of purposes. Thus, there is a very real possibility the pipeline may be punctured if it is only buried five feet deep. Additionally, although at present the vast majority of fields affected by the Project are used for growing rice, other crops may be planted in these fields in the future. A common practice associated with the planting of many tree crops is known as deep plowing. When a field is deep-plowed, very long metal shanks are used to "open up" the soil, and it is not uncommon for the shanks to be placed at a depth of six feet or greater. Again, this poses a threat of the pipeline being punctured. Should such an event occur within PFPD, the release of natural gas, the potential for fire, and the possible resulting explosion will all have significant impacts on PFPD's fire protection and emergency services abilities.

II. The Failure To Include The Construction And Operation Safety And Emergency Response Plan And The Construction Traffic Plan Violate CEQA.

A primary purpose of CEQA is to provide more meaningful public disclosure and analysis of a project's potential impacts to the environment and the proposed mitigation for the

E4-11
(Cont.)

E4-12

E4-13

E4-14

¹⁸ *Id.* at 5.14-4.

¹⁹ *See, e.g., Mejia, infra*, (2005) 130 Cal. App. 4th at 342. (Lead agency's lack of study of traffic impacts strengthened fair argument of significant impact based on petitioners' personal observations of traffic conditions)

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project's significant impacts.²⁰ In order to facilitate this purpose, it is necessary that the public be provided all critical components of the project in order to provide the opportunity for discussion and analysis. Moreover, in determining the significance of potential environmental effects, a lead agency has an affirmative responsibility to develop the substantial evidence necessary to support its conclusions. It also has the responsibility to develop any necessary mitigation **before** it decides to prepare a Negative Declaration or Mitigated Negative Declaration. Thus, an agency may not defer necessary environmental analysis or the development of mitigation to the future, unless it decides to prepare an EIR.

Unfortunately, this Document alludes to, but does not contain, a construction and operation safety and emergency response plan and a construction traffic plan.²¹ "The plan[s] will be prepared **prior to construction and will be submitted**. . . for review and approval."²² Adopting the Document and allowing the Project to proceed without completion of these plans violates CEQA's requirement that lead agencies must adopt feasible mitigation measures in order to substantially lessen or avoid otherwise significant adverse environmental impacts. Cal. Pub. Res. Code §§ 21002, 21081(a); Cal. Code Regs., Tit. 14 §§ 15002(a)(3), 15021(a)(2), 15091(a)(1). Formulation of mitigation measures should not be deferred until some future time. Cal. Code Regs., Tit. 14 §15126.4(a)(1)(B).

Moreover, the exclusion of these plans **severely limits** PFPD's abilities to full assess the Project's impacts on fire protection and emergency services. The Construction and Operation Safety and Emergency Response Plan is to include "hazardous substance control, worker health and safety, incident response and fire prevention and management."²³ Moreover, this plan is to specifically contain a "Fire Prevention and Management Element" that identifies "fire management measures that will be implemented during construction and operation."²⁴ Similarly, the Construction Traffic Plan will include consultation "with emergency service providers", *i.e.*, PFPD, and "develop an emergency access plan for emergency vehicle access in and adjacent to the construction zone." All of this information, if available, would affect PFPD's analysis of the Project's impacts on fire protection. Failure to include this plan violates both the letter and spirit of CEQA. Importantly, however, whether or not studies are deferred, the "fair argument" standard will still apply to the agency's determination.²⁵ And, even without these analyses, PFPD has clearly proven a "fair argument" exists that this Project will have significant environmental effects on fire protection and emergency services.²⁶ Thus, an EIR is required.²⁷

E4-14
(Cont.)

²⁰ Cal. Pub. Res. Code § 21002.1(e).

²¹ Document at MND-16; MND-18.

²² *Id.* (emphasis added).

²³ *Id.* at MND-16.

²⁴ *Id.*

²⁵ County Sanitation Dist. No. 2 v. County of Kern (2005) 127 Cal. App. 4th 1544, 1597; Sundstrom, infra, (1988) 202 Cal. App. 3d at 311.

²⁶ Friends of "B" Street, infra, (1980) 160 Cal. App. 3d at 1002.

²⁷ Cal. Code Regs., Tit. 14, § 15064(f)(1).

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June 7, 2010
Ms. Monisha Gangopandhyay

III. CONCLUSION

PFPD looks forward to this Project being sited in the District provided the Project is appropriately mitigated, as required by CEQA. PFPD welcomes the Project but is not willing to diminish the level of fire protection and emergency response services it currently provides to its constituents or jeopardize the lives of the District's constituents, the Project employees or the volunteer firefighters. PFPD simply cannot provide adequate fire protection and emergency response services to the Project without funding for additional equipment and training. PFPD is not willing to jeopardize the public health and safety of not only the Project and its employees but everybody PFPD services and the volunteer firefighters who respond to a call. Without adequate mitigation, PFPD cannot provide the appropriate level of minimal fire protection and emergency response services at the Project. PFPD does not want to be put in the unenviable position of responding to a call from the Project knowing PFPD does not have the appropriate training, staffing or equipment and is therefore jeopardizing the lives of its volunteer firefighters as well as anyone who is at or near the Project. To approve this Project without resolution of the issues identified herein will not only violate CEQA, it will compromise public health and safety within the District and potentially jeopardize lives.

E4-15

Sincerely,



RONDA AZEVEDO LUCAS, Esq.

cc: Chief Andy Ferrendelli

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Response to Comment Letter E4

Lucas Law on Behalf of Princeton Fire and Protection District

Ronda Azevedo Lucas

June 7, 2010

- E4-1** Under the California Environmental Quality Act (CEQA), mitigation measures are only required if potentially significant impacts have been identified. Since the Draft Initial Study/Mitigated Negative Declaration (IS/MND) determined that the impacts to fire protection and emergency services were less than significant, mitigation is not required. Substantial evidence has been presented in the Draft IS/MND to support this determination. The commenter has not indicated why they believe the project might have a significant effect on the environment. An environmental impact report (EIR) is only required when potentially significant impacts cannot be mitigated to a level of insignificance. The commenter has not demonstrated that there are any potential impacts that cannot be mitigated.
- E4-2** The commenter is incorrect that this project is unlike any entity that has ever come into the community. The Wild Goose natural gas facility is in proximity to the proposed project and is very similar to the proposed project. There are also approximately 800 active natural gas wells in Colusa County.
- Following the public meeting on May 5, 2010, the California Public Utilities Commission considered the request for an extension of the review period. The comment period was extended for an additional 2 weeks and closed on June 7, 2010.
- E4-3** The commenter's excerpt from the Draft IS/MND, "operation of the project would result in risk of fire and/or explosion, resulting in an increased demand for local emergency services, including fire protection," has been taken out of context. Following that sentence, the Draft IS/MND describes the measures that will be implemented that will reduce this potential impact to a less-than-significant level. These measures include payment of development fees that may be used to support public services such as fire protection, maintenance of appropriate natural gas firefighting equipment at the compressor station by Central Valley Gas Storage, LLC (Central Valley), and training for employees in fire response techniques. The compressor station would also be equipped with fire, heat, and gas detection systems that would allow Central Valley to respond to fires. Should a small fire, explosion, or release of hazardous substances originating at proposed project facilities occur during operations, on-site project operators who are trained fire and emergency responders for natural gas storage projects are expected to be adequate to respond.

Reponses to Comments

The project operators would be the first responders to any incident, and any responders from local fire districts would be required to wait at the front gate until the situation is stabilized. Please see Response C1-1 for further clarification of this issue.

As discussed in Section 5.8, Hazards and Hazardous Materials, the risk of fire and explosion is minimal. There are numerous regulations described in Section 5.8 of the Draft IS/MND that serve to reduce impacts. Specifically, on page 5.8-8, the Draft IS/MND describes the federal pipeline regulations published in Title 49, Code of Federal Regulations (CFR), Parts 190–199. These regulations include the following:

On-Call System – The Applicant will be required to subscribe to the USA North underground service alert “one-call” system.

Line Marking – The Applicant is required to install line marker posts such that the pipeline is readily identifiable. In addition they are required to install warning signs.

Right-of-Way Patrolling – Each project operator is required to have a patrol program to monitor for indications of leaks, nearby construction activity, and any other factors that could affect safety and operation. For the proposed line, these patrols must be conducted twice each calendar year for road crossings and once each calendar year in other locations.

Leakage Surveys – A leakage survey must be conducted at least once each calendar year.

Public Education – Pipeline operators are required to develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute’s (API’s) Recommended Practice 1162 Public Awareness Programs for Pipeline Operators as their public education procedure.

Please see Appendix D, System Safety, and Risk of Upset, for additional information regarding these requirements.

Due to the minimal risk involved and the measures that are incorporated into the project, the Draft IS/MND has appropriately determined that this is a less-than-significant impact.

Additionally, to further ensure that any potential unanticipated impacts to the Princeton Fire Department are addressed, the project applicant has agreed to make a contribution to the department’s equipment fund, provide an annual contribution for department operations for a period of not less than 5 years, provide training for two people/year for a minimum 5-year period, and provide site familiarization.

Reponses to Comments

The commenter has not indicated why there would not be mitigation available even if a potential environmental impact were identified. An EIR is only required if a potentially significant impact cannot be mitigated to a level of insignificance.

The commenter has not provided any evidence that the Insurance Services Organization (ISO) rating would be affected by this project. Economic impacts are not required to be addressed under CEQA, and CEQA does not require that an EIR be prepared if insurance rates are increased. The Draft IS/MND does take a “hard look” at the significant environmental impacts associated with fire protection and emergency services. Appendix D contains a complete report that analyzes the potential risk of upset and system safety. This report is summarized in Section 5.8.

E4-4 Please see Response C1-1 regarding the discussion of California Department of Forestry and Fire Protection (CAL FIRE). The commenter is incorrect in the statement that the local fire departments would have primary responsibility for protecting the various project components. On-site project operators would be the first responders in the case of an incident both during construction and during operation of the facility. There are numerous safeguards built into the project, and entities other than the local fire departments would be responsible for ensuring compliance and conducting regular monitoring. Section 5.8-2 describes the regulatory setting related to hazards and safety. Applicant Proposed Measures (APMs), including HAZ-1 and HAZ-2, also serve to reduce the risk potential and ensure project safety. Please see Response C1-1 for proposed revisions that will clarify the responsibility of CAL FIRE and the local fire departments.

E4-5 The commenter is correct that the baseline is primarily a rural agricultural area; however, there are other gas storage facilities in the immediate vicinity so this is not a completely new use for the area. As noted previously, the Princeton Fire Department would not be required to field complex multi-person teams to serious events. The project operators would be responsible for response to serious incidents. On-site project operators who are specially trained to respond to incidents at gas storage projects would be the first responders. Appendix D contains a complete report that analyzes the potential risk of upset and system safety. With implementation of measures proposed by the applicant, existing regulations, and oversight and monitoring by various agencies, the Draft IS/MND determined the impact to fire services was less than significant. Additionally, as noted above, the applicant will provide specialized training to personnel with the Princeton Fire Department.

E4-6 Hazardous materials are discussed in Section 5.8 of the Draft IS/MND. The routine transport, use, or disposal of hazardous materials was determined to be a potentially significant impact. Existing regulations in combination with APM HAZ-2 and

Reponses to Comments

Mitigation Measures HAZ-1 and HAZ-2 (which requires the necessary training) were determined to be sufficient to mitigate any potential impacts to a less-than-significant level. On-site project operators who are specially trained to respond to incidents at gas storage facilities will quickly respond to any emergencies.

E4-7 Although on-site project managers would be responsible for firefighting services, the applicant will provide specialized training, site familiarization and training, and periodic evening tour and procedure review after the start of the commercial operation. Please see Response C1-1 for further discussion of this issue.

E4-8 It should be clarified that the three buildings on the compressor station site are more adequately characterized as three one-story buildings. One of the buildings would have a 36-foot 3-inch eave and a ridge height of 47 feet 5 inches, but it should be described as a large barn. It would not have three stories. The second paragraph on page 4-8 will be revised to state the following:

Figure 4-5 shows the preliminary compressor station site plan. As shown on the figure, three one-story buildings—a compressor building, auxiliary building, and utility building—would be constructed on site. The tallest building on site would be approximately 50 feet tall (compressor building). This building would have a 36-foot 3-inch eave and a 47-foot 5-inch ridge height. The building can most accurately be described as a large barn. The auxiliary building would be approximately 30 feet and the utility building approximately 19 feet tall.

E4-9 As previously discussed, the project operators would be responsible to respond to any incidents that could occur, including those that would involve a confined space situation. Trained and equipped personnel will be present on site, and additional resources can be brought in from other locations if necessary.

E4-10 Water is not the best mechanism to fight a fire that could potentially occur. The project has been designed with heat and flame detectors. In the event something is detected, there is an automatic block off of all piping, and gas is vented to the outside. Within 15–20 minutes, all of the combustibles are gone and there is no source for a fire. In the unlikely event that a fire would occur, dry chemical fire extinguishers, both handheld and wheeled, will be available on site. As noted previously, it will be on-site project managers that will respond to any fire on the project site. Please see Responses D2-7 and D2-8 for additional discussion of this issue.

As an additional measure, the project applicant will contribute to the Princeton Fire Department's equipment fund.

E4-11 Please see Response D2-4.

Reponses to Comments

E4-12 The commenter is correct that the makeup of the first responders is not clear. The third paragraph on page 5.14-4 will be revised to state the following:

Construction of the proposed project would generate little need for fire protection services. In the event of an emergency during construction, demand for fire emergency response would be temporarily increased (see Section 5.8 for discussion of fire risks). It should be noted that the project operators who have specialty training in responding to incidents at gas storage facilities would be the first responders. Equipment will be available on site for both early detection and firefighting. However, few instances requiring assistance from emergency service providers during construction are expected, and local and regional emergency response providers are expected to be capable of responding to construction emergencies. Training will be provided to two members of the Princeton Fire Department. In addition, an emergency response plan will be put into place during construction to ensure that emergency vehicles have access in and adjacent to the construction work area. To further minimize fire risk during construction, Central Valley will implement APM HAZ-2 (see Section 4.8.7), which will restrict equipment use in specific areas and ensure that combustion engines conform to applicable regulatory standards. No new governmental facilities would be required to support construction of the proposed development. Impacts would be less than significant.

The fifth paragraph on page 5.14-4 will also be revised as shown below:

Project operators who have specialty training in responding to incidents at gas storage facilities would be the first responders during operation of the project. Equipment will be available on site for both early detection and firefighting. Central Valley would be required to pay development fees to Colusa County that would be used, in part, to support public services such as fire protection and to offset any increased demands from the proposed project. In addition, Central Valley will maintain appropriate natural gas firefighting equipment at the compressor station, and employees will be trained in fire response techniques. The project applicant will provide specialized training to local fire department personnel, contribute to the Princeton Fire Department equipment fund, and make an annual contribution to the Princeton Fire Department's ongoing operations. The compressor station will also be equipped with fire-, heat-, and gas-detection systems that will allow Central Valley to respond to fires. Should a small fire, explosion, or release of hazardous substances originating at proposed project facilities during operations occur, existing fire and emergency responders are expected to be adequate to respond. Large-scale, catastrophic events originating at project facilities would require a coordinated effort by regional emergency service providers. However, as discussed in Section 5.8, the low probability of a catastrophic event would not require new fire protection or

Reponses to Comments

emergency response capabilities; therefore, the potential impact to existing fire and emergency responders would be less than significant.

E4-13 As noted by the commenter, the vast majority of the fields affected by the project are used for growing rice, and no deep plowing is undertaken. It is extremely unlikely that any type of deep plowing would occur in the project area. Additionally, the pipeline is required to adhere to a number of regulations that would serve to ensure that the pipeline would not be compromised by a third party. These are summarized in Response E4-3 and described in more detail in Appendix D.

As a practical matter, a California study found that the overall frequency of third-party damage caused unintentional releases was 1.46 unintentional releases per 1,000 mile-years. For pipelines constructed in the 1950s, the frequency was only 0.88 unintentional releases per 1,000 mile-years; it was even lower for newer lines. These lower values were primarily due to the increased awareness of the threat from third-party damage to pipeline facilities. Newer lines have benefitted from improved line marking, one-call dig alert systems, avoidance of high-risk areas, improved documentation, increased depth of cover, and public awareness programs.

E4-14 CEQA does not require that plans be developed and be included as part of the environmental document. It is premature to develop these plans until further details are worked out, and it is common practice to develop these plans at a future date. This is permissible as long as the environmental document identifies the performance standards that must be met. The Draft IS/MND sets forth those performance standards in the description of the APM HAZ-2 on pages MND-16 and MND-17.

E4-15 Comment noted. The commenter states their concerns that the project has not been adequately mitigated but does not provide any evidence to support this contention.

Comment Letter E5

From: Rica Nitka
Sent: Monday, June 07, 2010 4:56 PM
To: Gangopadhyay, Monisha; Kim Hudson
Cc: Steve Taffolla
Subject: FW: Central Valley Natural Gas Storage Project - Application A.09-08-008

CVGS MND comments from PG&E.

From: Ellis, Christoffer [mailto:CRE3@PGE.COM]
Sent: Monday, June 07, 2010 4:54 PM
To: CVGS
Subject: Central Valley Natural Gas Storage Project - Application A.09-08-008

Dear Monisha Gangopadhyay:

Thank you for the opportunity to comment on the Mitigated Negative Declaration (MND) for the Central Valley Natural Gas Storage Project (CVGS). Pacific Gas and Electric Company (PG&E) is committed to our ongoing working relationship with CVGS to provide both gas and electric connections for this project. We will continue to work with CVGS to ensure accuracy in the project documentation.

CVGS has recently applied for electric connection service with PG&E's system. In our initial review we noticed that the description in the MND outlined electric service extending north along McAusland Road from an existing PG&E electric distribution line along Dodge Road to the compressor station north of Southam Road. It is more likely that we would serve the compressor station via an extension from the electric distribution line that runs along Southam Road to McAusland Road. These comments are based on the fact that the compressors are natural gas powered and not electrically powered so that no electric transmission service would be required.

E5-1

It also should be noted that in the event that existing PG&E facilities need to be relocated to accommodate CVGS, alternatives will need to be implemented in order to maintain service to existing customers.

E5-2

PG&E has yet to complete engineering the necessary facilities to interconnect CVGS with PG&E's Lines 400 and 401. Any significant differences between the MND description and the final design will be supplied to CVGS.

E5-3

Thanks again for the opportunity to comment and if you have any questions regarding PG&E facilities please contact me.

Chris Ellis, AICP
Principal Land Planner
PG&E, Land and Environmental Management

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Response to Comment Letter E5

Pacific Gas and Electric
Christoffer Ellis
June 7, 2010

- E5-1** Comment noted. It is understood that the compressor station would more likely be served through an extension of an existing line on Southam Road instead of Dodge Road. This is a shorter route that is included in the environmental analysis. This change would not create any additional impacts and would likely have fewer impacts than the connection to the line on Dodge Road.
- E5-2** Comment noted. The applicant will work with Pacific Gas and Electric (PG&E) to ensure that service is maintained to existing customers. This is not a comment on the environmental impacts of the proposed project, and no further response is required.
- E5-3** Comment noted. It is not anticipated that the final engineering design will affect the analysis in the Draft Initial Study/Mitigated Negative Declaration. In the unlikely event that the final engineering design could result in environmental impacts not previously analyzed, further environmental review may be required.

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Central Valley Gas Storage Project Public Meeting Notes

Date: May 5, 2010 **Subject:** Public meeting - Central Valley Gas Storage (CVGS) Project Initial Study (IS)/Mitigated Negative Declaration (MND) **Time:** 6 p.m.–8 p.m. **Location:** Princeton High School

Meeting Attendees: Monisha Gangopadhyay, California Public Utilities Commission (CPUC)
Rica Nitka, Dudek
Kim Hudson, Dudek
Members of the public

The meeting held on May 5, 2010, was a public meeting to provide information about the CPUC's permitting process and the California Environmental Quality Act (CEQA) review process, as well as to provide information about the project and environmental impacts of the proposed project. The meeting was also intended to solicit public comments regarding the environmental document, an IS/MND.

1. Introduction and Description

Monisha Gangopadhyay introduced the project team and gave an overview of the CPUC process and schedule. Ms. Gangopadhyay discussed the permits that would be required for the project and explained the parallel review processes for the project application. These processes include the "General Proceeding" (Application No. A09-08-008) and the environmental review (CEQA process).

Ms. Gangopadhyay also noted that the CPUC will take into consideration the need for the project; it will consider community values, determine the significant environmental impacts, and evaluate ways to minimize these impacts. It was noted that the project is located in northeastern Colusa County, south-southwest of the town of Princeton.

Rica Nitka then described the proposed project and noted that the project consisted of the conversion, construction, and operation of the depleted Princeton Gas Field. Specific components of the project were identified. Ms. Nitka then described the applicant's objectives as follows:

- Increase the total amount of natural gas storage capacity and the reliability of supply in Northern California where storage is in high demand

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May 2010

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- Mitigate potentially costly conditions related to California's reliance on imported gas by allowing purchasers to buy gas when the supply is adequate and price is low. The applicant would inject natural gas into the proposed project for storage and then withdraw and use the stored gas when supply is short and prices are higher.
- Provide a storage facility in proximity to Pacific Gas & Electric's (PG&E's) existing gas transmission facilities (Line 400/401).

Ms. Nitka described the environmental issues analyzed in the IS/MND and noted the key issues of the project.

Ms. Gangopadhyay then noted that the environmental document had been issued for public review on April 22, 2010, and the comment period would end on May 22, 2010. Consideration of public comments will be incorporated into a Final Mitigated Negative Declaration scheduled for release in July 2010.

2. Comments from Members of the Public and Agencies

Ben Felt, Colusa County Chamber of Commerce and Community Foundation. Mr. Felt expressed his support for the project and noted that it would create local jobs and a tax revenue base. He also stated that compatibility with farmland is extremely important, and this project meets this requirement. He noted that this project is an investment in the future.

F1-1

Eugene Massa, Colusa Basin Drainage District. Mr. Massa stated that the project is located in the heart of the District and they had not received prior notification of this project. He had not had an opportunity to review the environmental document, but in general, his concern was with subsidence. Recently, there had been a blowout at a gas field in Willows when workers hit pressurized water at 55 feet. Subsidence was a big issue, and they feared the rig was going into a sinkhole. He asked what standards would be set to ensure no contamination would occur and expressed concern that saline water could come out. He requested that the public review period be extended by 90 days.

F1-2

Gary Teragawa, Family Water Alliance. Mr. Teragawa noted that the Family Water Alliance is a 501 C3 nonprofit grassroots organization out of Maxwell. They advocate uses that are compatible with agriculture, and he voiced support for the project. He stated that Nicor has been doing this for 50 years and has a good track record.

F1-3

Henry Rodegerdts, Colusa County Counsel. Mr. Rodegerdts asked whether PG&E would be the purchaser and who owned the gas. He also asked how the gas would go into the field. In response, Jim Kiefer (CVGS program manager) stated that nothing had been decided with regard

F1-4

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to ownership, and it could vary. The gas would go into the field through lines that serve the entire state.

↑ F1-4
(Cont.)

Chris Torres, Adjacent Landowner. Mr. Torres asked about the methodology used to determine noise impacts. In response, Ms. Nitka described the basic methodology and noted the sections of the environmental document where the information could be obtained.

— F1-5

Scott Hanson. Mr. Hanson stated that he used to work at a natural gas facility in Lodi, right next to the airport. He indicated that you could not hear the compressors when they are running if you are outside the building. It was only noisy within the building itself.

— F1-6

Henry Rodegerdts, Colusa County Counsel. Mr. Rodegerdts spoke again and stated that some districts had not been notified. He asked who had the authority to grant additional review time. Ms. Gangopadhyay replied that the CPUC attorney, along with some other CPUC staff, would need to review the requests for extension of time and make a determination. She stated that it would be useful to have detailed information supporting the need for an extension of time to present to the decision makers.

— F1-7

Manuel Massa, Princeton Fire Department. Mr. Massa stated that the fire department also responds to medical calls, and they will certainly get medical calls, particularly during construction of the project. He said they did not receive a notice of the meeting and would need an additional 30 days to review the environmental document. The Board members had not seen it or considered it, and there would be no way the Board would be able to do so by the May 22, 2010, deadline. He also stated that a 50-foot building (if 3 stories) is too tall for their equipment and there is no water out there. The fire department would have to haul water to the site, and their water truck is old and needs to be replaced. He asked whether the football field would be close enough if a helicopter were needed. He was unclear about the routes construction vehicles would take and asked how they would be getting in and out of the area with their trucks. He also asked if the buildings would house hazardous waste. He noted that development fees are limited, and the fire department gets very little from development fees. He also wanted to make it clear that CalFire does not respond in this area. Ms. Nitka responded that the document states on page 14-1 that the Princeton Fire Department is responsible in this location—not CalFire.

— F1-8

Carolan Meek, Colusa Fairgrounds. Ms. Meek noted that she was not there to represent the fairgrounds. She voiced support for the project and stated that Nicor is expert at what it does and will help the economy. She noted that Nicor has actively participated in the community over the past year and is in it for the long term.

— F1-9

Kim Dolbow-Vann, Chair, Colusa County Board of Supervisors. Ms. Dolbow-Vann asked who at the county gave them a contact list and noted that the Board of Supervisors has appointed a committee to review this project with Nicor. Ms. Gangopadhyay responded that discussions

↓ F1-10

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Meeting Notes
Subject: Central Valley Gas Storage Project – Public Meeting
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with county staff were only one avenue the CPUC used to determine who should be notified, and she did not mean to imply that the county was responsible for the notification list.

F1-10
(Cont.)

A person in the audience stated that the CPUC should be using the Chico Enterprise Record, a daily newspaper, for notification.

Chris Torres, Adjacent Landowner. Mr. Torres stated that a 300-foot notice is not sufficient and that in rural areas a larger area should be considered.

F1-11

Eugene Massa, Colusa Basin Drainage District. Mr. Massa asked what the potential was for gas release and how far could the gas travel before it would be shut down. He suggested that if gas could travel half a mile, then everyone within a half mile should be notified.

F1-12

Tim Crews, Sacramento Valley Mirror. Mr. Crews asked whether testing of the wells is discussed in the document. He also asked whether the real reason for the project was to serve the new generating station that PG&E is building. Ms. Gangopadhyay responded that the generating station was not the reason for the project, and the two were not connected in any way.

F1-13

Manuel Massa, Princeton Fire Department. Mr. Massa noted that the roads are not good in this area and 700–800 trucks per day with machinery would further damage the roads. Ms. Dolbow-Vann (chair, Colusa County Board of Supervisors) responded that the County would address road conditions through the use permit process.

F1-14

Mark Spannagel, Representing Assemblyman Nielsen. Mr. Spannagel stated that the Assemblyman would like to be a good partner with Nicor and the County on this project.

F1-15

Hal Bopp, California Division of Oil, Gas, and Geothermal Resources. Mr. Bopp indicated that his agency would be responsible for permitting and monitoring the natural gas field and well drilling; he also noted that they permit the water disposal well.

F1-16

Response to Comment Letter F1

**Individuals at Public Meeting
May 5, 2010**

F1-1 Comment noted. The commenter expressed his support for the project but did not comment on the Draft Initial Study/Mitigated Negative Declaration (IS/MND). No further response is required.

F1-2 Notice of the project was done in accordance with the requirements under the California Environmental Quality Act (CEQA) Section 15072. The notice was published in a newspaper of general circulation and sent to all parties within a 300-foot radius, as well as numerous agencies. The potential for subsidence is discussed in the Draft IS/MND on pages 5.7-13, 5.7-14, and 5.7-23. Based upon data from the State of California Department of Water Resources, it appears that subsidence is not occurring in the project area. In addition, new injection/withdrawal wells and observation well conversion would be constructed in accordance with the strict regulations of the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR), which account for potential impacts resulting from subsidence. Based on the evidence presented in the Draft IS/MND, it was determined that this was a less-than-significant impact. Please see Response D3-2.

Following the public meeting on May 5, 2010, the California Public Utilities Commission considered the request for an extension of the review period. The comment period was extended for an additional 2 weeks and closed on June 7, 2010.

F1-3 Comment noted. The commenter expressed his support for the project but did not comment on the Draft IS/MND. No further response is required.

F1-4 Comment noted. The question of who might purchase the natural gas is not a question related to the potential environmental impacts of the proposed project. No further response is required.

F1-5 The methodology used to analyze noise impacts is discussed on pages 5.12-1 through 5.12-20 of the Draft IS/MND.

F1-6 Comment noted. The commenter stated that he used to work at a natural gas facility and you could not hear the compressors if you were outside the building. No further response if required.

F1-7 Notice of the project was done in accordance with the requirements under CEQA Section 15072. The notice was published in a newspaper of general circulation and sent to all parties within a 300-foot radius, as well as numerous agencies. The

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comment period was extended for an additional 2 weeks. The comment period closed on June 7, 2010.

F1-8 Notice of the project was done in accordance with the requirements under CEQA Section 15072. The notice was published in a newspaper of general circulation and sent to all parties within a 300-foot radius, as well as numerous agencies. The comment period was extended for an additional 2 weeks. The comment period closed on June 7, 2010.

The approximately 50-foot building is one story and could be characterized as a barn-like structure. As discussed in Response E4-8, the text will be revised to more clearly describe the three one-story buildings on the project site.

Water is not the most effective way to fight a natural gas fire. Please see Response E4-10 for further discussion of this issue.

Construction of all of the project components would involve the transport, use, and disposal of hazardous materials during the construction phase. Operation of the compressor station, remote well pad site, observation wells, and saltwater disposal well would require the transport, use, and storage of hazardous materials. Hazardous materials would not be stored at the observation wells or saltwater disposal well. Use and storage of hazardous materials is discussed on pages 5.8-16 through 5.8-21 of the Draft IS/MND. With implementation of Applicant Proposed Measures in combination with mitigation measures outlined in the Draft IS/MND, these potential impacts have been mitigated to a less-than-significant level.

The Draft IS/MND does provide an overview of the California Department of Forestry and Fire Protection (CAL FIRE), but it clearly states on page 5.8-5 that “The project area is located in a Local Responsibility Area and local fire departments and fire protection districts would provide fire suppression services to the project area in the event of a fire.” The Draft IS/MND also discusses fire protection on page 5.14-1. The document states that “Fire protection services to the project area and vicinity are provided by both the Princeton Fire Protection District (PFPD) and the Maxwell Fire Protection District.” In order to reduce the confusion over this issue, the paragraph describing CAL FIRE will be revised. Please see Response C1-1 for further explanation.

F1-9 Comment noted. The commenter expressed his support for the project but did not comment on the Draft IS/MND. No further response is required.

Reponses to Comments

- F1-10** Comment noted. The commenter expressed concern over how the mailing list was developed. This is not a comment on the potential environmental impacts of the project. No further response is required.
- F1-11** Comment noted. This comment will be considered by the California Public Utilities Commission in its future noticing efforts. A 300-foot notice is the generally accepted standard. This is not a comment on the adequacy of the environmental document. No further response is required.
- F1-12** The issue of gas migration is discussed in the Draft IS/MND on page 5.8-6 and pages 5.8-21 through 5.8-24. The document has determined that the Applicant Proposed Measures in conjunction with mitigation measures outlined in the Draft IS/MND will be sufficient to reduce impacts to a less-than-significant level. Please see Response C1-2.
- F1-13** Testing of the wells is discussed in Section 5.8, Hazards and Hazardous Materials, of the Draft IS/MND. The generating station currently under construction by Pacific Gas and Electric (PG&E) is not the reason for the project, and the two projects are not connected.
- F1-14** As noted on page 5.16-7 of the Draft IS/MND, Central Valley Gas Storage, LLC, will be required to enter into a road maintenance agreement with Colusa County to cover any potential construction-related damage to public roads.
- F1-15** Comment noted. The commenter expressed his support for the project but did not comment on the Draft IS/MND. No further response is required.
- F1-16** Comment noted. The commenter stated DOGGR would be responsible for permitting and monitoring the natural gas field and well drilling as well as the water disposal well, but he did not comment on the Draft IS/MND. No further response is required.

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-----Original Message-----
From: Chris Torres [mailto:cladofranki@yahoo.com]
Sent: Sat 22/05/2010 04:34
To: Gangopadhyay, Monisha
Subject: Central Valley Gas Storage

Monisha,

I am including my concerns for your report to the PUC.

The close of the public comment period needs to be extended at a minimum of 90 days for the following reasons.

- 1. This needs to be published in not only the Tri-Counties newspaper, it should be put in the Chico Enterprise record. It needs to be published at a minimum of 4 times over a 3 week period, the same as other public notices.
- 2. I believe that the radius of notifications needs to be expanded, from the 300 feet from the perimeter of the project to 1 mile, the reason being is that this is vast open area and sound travels a long way. Many more people will be exposed to the effects.
- 3. The sound ratings in the draft EIR seem to be very low. I am not comfortable with the numbers. I feel the inventories of the sound volume need to be demonstrated and justified.
- 4. I feel the impact on the tranquility of the area needs to be addressed.
- 5. The negative impact of the project to surrounding property values needs to be addressed, and the inventories of the calculations need to be made public.
- 6. The impact of the construction/operation of the project needs to be fully addressed prior to the granting for the project.
- 7. I believe a full EIR needs to be conducted prior to project approval.

- } F2-1
- } F2-2
- } F2-3
- } F2-4
- } F2-5
- } F2-6
- } F2-7

Please pass this on to the PUC board.

Thank you,

Chris Torres

This footnote confirms that this email message has been scanned by
PineApp Mail-SeCure for the presence of malicious code, vandals & computer viruses.

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Response to Comment Letter F2

Chris Torres

May 22, 2010

- F2-1** The project was noticed in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15072 and was published in a newspaper of general circulation. Following the public meeting on May 5, 2010, the California Public Utilities Commission (CPUC) considered the request for an extension of the review period. The comment period was extended for an additional 2 weeks and closed on June 7, 2010. Based on the feedback received at the public meeting, the notice for the extension of time was published in the Chico Enterprise Record and the Colusa Sun Herald.
- F2-2** As noted above, the project was noticed in accordance with CEQA Guidelines Section 15072. The request to expand the radius of the notification is not a comment on the environmental document. No further response is required.
- F2-3** The noise impacts of the proposed project have been thoroughly evaluated in Section 5.12 of the Draft Initial Study/Mitigated Negative Declaration (IS/MND). The project will be required to adhere to the noise control requirements set forth in Appendix F. Existing noise levels were measured at noise sensitive areas, and then construction noise, operational noise, and ground-borne noise and vibration that would occur as a result of the project were evaluated. The noise generated as a result of the project was compared with thresholds set forth in the Draft IS/MND. The equipment noise levels were the maximum noise levels that could occur, and a potentially significant impact was identified. Mitigation Measure NOI-1 will ensure that construction noise will remain below specified thresholds that would be a less-than-significant impact. The commenter indicates that he feels the sound ratings are low but does not provided any evidence to support that statement.
- F2-4** The Draft IS/MND discusses all of the impact areas required under CEQA. Tranquility is generally defined as the state of being free from disturbance or turmoil and is often considered a quiet or silent state. These issues are addressed in Section 5.12. As noted above, the increase over existing noise levels is evaluated and thresholds of significance are considered. It is important to note that the existing conditions in the project area are not particularly “tranquil” and involve ongoing agricultural operations that include the use of heavy equipment, crop dusters, and other intensive activities.

Reponses to Comments

- F2-5** Economic issues are not required to be addressed under CEQA. There is no evidence presented to suggest that property values would be affected by the proposed project. Once under operation, existing agricultural activities will continue.
- F2-6** The impact of construction and operation of the proposed project is fully discussed in Section 5, Evaluation of Environmental Impacts, as required under CEQA. The commenter does not present any information to indicate that these impacts have not been evaluated.
- F2-7** An environmental impact report (EIR) is only required when potentially significant impacts cannot be mitigated to a level of insignificance. The commenter has not demonstrated that there are any potential impacts that cannot be mitigated.

References

- CEC (California Energy Commission). *2007 Final Staff Assessment, Colusa Generating Station, Application for Certification (06-AFC-9), Colusa County*. CEC-700-2007-003-FSA. November 2007.
- CEC. 2008. *Final Commission Decision, Colusa Generating Station, Application for Certification (06-AFC-9), Colusa County*. CEC-800-2008-001-CMF. Sacramento, California: CEC. April 2008.
- Wenal, K. "Venoco Well 49-29 Incident Summary." Letter from K. Wenal (Venoco) to H. Bopp (California Department of Conservation Division of Oil, Gas, and Geothermal Resources). June 18, 2010.

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